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W. E. WILLIAMSON, CLERK

Congress of the United States
House of Representatives
Committee on Interstate and Foreign Commerce
Room 2125, Rayburn House Office Building
Washington, D.C.

May 12, 1967

REC'D MAY 15 1967

Mr. L. F. P. Curry
Curry Steel Products Company
Post Office Box 443
Independence, Missouri 64051

Dear Mr. Curry:

Thank you for taking the time to write to me in regard to H. R. 6736 and S. 1160, Public Television Act of 1967.

I am glad to have the benefit of your views on this very important legislative proposal and you may be assured they will receive the Committee's most careful consideration at such time as hearings are held on these bills. There has been no date set as yet for the commencing of the hearings on Public TV, but I have listed you to be notified at such time as a date is announced and the notice will carry with it an invitation to appear as a witness if you so desire or send a statement of your views in a letter.

Sincerely,

Harley O. Staggers

HARLEY O. STAGGERS
Chairman

HOS/d

1301 Walnut Street
Grand Forks, N.D. 58201
May 23, 1967

Senator Quentin Burdick
Senate Office Building
Washington, D.C. 20510

Dear Senator Burdick:

My wife and I should like to thank you for your support for the PUBLIC BROADCASTING ACT OF 1967. We hope that you will do all within your power to secure the passage of this bill.

Unlike many, we do not oppose additional taxation if these funds are used constructively. This act is an excellent example of the kind of project that should be supported by federal funds.

Unfortunately, we must protest your continued support of U.S. aggression in Viet Nam. We do not fight communism there: we are playing into the communist's hands. We should be supporting this uprising of the Vietnamese people rather than supressing it.

Yours truly,

Arthur P. Jacoby

FOWLER, WHITE, COLLINS, GILLEN, HUMKEY AND TRENAM

ATTORNEYS AT LAW

FIRST FEDERAL BUILDING
TAMPA, FLORIDA
228-7411

CITY NATIONAL BANK BUILDING
MIAMI, FLORIDA
377-2791

FLORIDA NATIONAL BANK BUILDING
ST. PETERSBURG, FLORIDA
896-0601

CABLE ADDRESS
"FOWHITE"

PLEASE REPLY TO:
P. O. BOX 1438
TAMPA, FLORIDA
33601

May 9, 1967

Honorable Torbert H. MacDonald
Congressman from Massachusetts
House Office Building
Washington, D. C.

Dear Congressman:

The proposed legislation for federal support for public broadcasting which is currently being discussed by committees of the Congress I believe is a very positive step in developing these resources of our country.

During the years I was president of the National Association of Broadcasters I became increasingly aware of how integral a part of American life radio is even though television has commanded a great deal of attention in recent years.

While commercial radio has served the public interest commendably in the areas of news, public affairs, and entertainment, it is through the development of the full potential of non-commercial educational radio that these interests can and should be fully served.

Here in Florida we have plans for using radio on all levels of education for both children and adults and I know such use would be applicable and advantageous throughout the country.

Public financial support as well as recognition are needed to achieve this goal. I believe therefore that in your discussions of the proposed legislation you should seriously consider a Public Broadcasting Act with radio occupying a strong position with television in all titles and provisions.

Sincerely,

LeRoy Collins

cc/ Honorable Robert Griffin
Honorable Philip A. Hart
Honorable Vance Hartke
Honorable Russell B. Long
Honorable A. S. Mike Monroney
Honorable Frank E. Moss
Honorable James B. Pearson
Honorable Hugh Scott
Honorable Donald G. Brotzman
Honorable James T. Broyhill
Honorable Lionel Van Deerlin
Honorable James Harvey
Honorable Horace R. Kornegay
Honorable Richard L. Ottinger
Honorable Fred B. Rooney
Honorable J. Arthur Younger

1301 Walnut Street
Grand Forks, N.D. 58201
May 23, 1967

Representative Harley Staggers
House Office Building
Washington, D.C. 20515

Dear Mr. Staggers:

My wife and I should like to urge full support for H.R.6736 on your part. We see the passage of this public broadcasting act as an important step forward in the area of educational broadcasting.

Unlike many, we do not oppose additional taxation if these funds are used constructively rather than destructively (as is the case in Viet Nam today). This act is an excellent example of the kind of project that should be supported by Federal funds.

Yours truly,

Arthur P. Jacoby

1301 Walnut Street
Grand Forks, N.D. 58201
May 23, 1967

Senator Warren G. Magnuson
Senate Office Building
Washington, D.C. 20510

Dear Senator Magnuson:

My wife and I should like to urge full support for Senate bill S.1160 (PUBLIC BROADCASTING ACT OF 1967). We see the passage of this act as an important step forward in the area of educational broadcasting.

Unlike many, we do not oppose additional taxation if these funds are used constructively rather than destructively (we are strongly opposed to the U.S. aggression in VIET NAM). This act is an excellent example of the kind of project that should be supported by federal funds.

Yours truly,

Arthur P. Jacoby

May 22, 1967

Dr. Paul B. Kannowski
Smithsonian Tropical Research Institute
P. O. Box 2072
Balboa, Canal Zone

Dear Paul:

This is to thank you very much indeed for writing to Senator Burdick and Representative Andrews in behalf of S.1160. Last Wednesday, it passed the Senate by voice vote and is now entitled, "The Public Broadcasting Act of 1967." So the drive to gain Senate approval of inclusion of radio plus reconciliation of title with content has succeeded on one side of the Hill.

Now, on to the House of Representatives. No date has been announced as yet, but it is expected that full Committee hearings, chaired by Representative Harley Staggers (W. Va.) may begin about the end of May.

Probably, Senator Burdick sent a copy of his testimony before the subcommittee to you. I'm sure that your letter helped greatly to encourage his voicing support of the bill. Whether you have received copies of the version passed by the Senate I don't know; if not, it may interest you to know that:

1. Title II of S.1160 suggests a Corporation for Public Broadcasting.

2. Title III calls for a broad study of instructional TV and radio and also encompasses Educational Communication System (ECS) types of concerns.

3. The Bill recommends that the President choose nine members of the Corporation Board with the remaining six to be chosen by those nine.

4. The ultimate responsibility for interconnection of educational stations would rest with the Corporation, but the Corporation would have the option of setting up an advisory group and/or have contractual arrangements, as appropriate, with outside agencies, program suppliers, networks, etc.

The process of approaching the Senate is now being repeated in regard to the House. I don't think I have ever had so much mail and individual correspondence staring me in the face over so long a period and am not sure whether the prospect of more to come is exactly inviting, but Excelsior! Many thanks for your help, Paul. It's for U.N.D.; I'm just an agent.

Sincerely,

Myron M. Curry, Director
KFJM & CCTV

JS

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

1346 CONNECTICUT AVENUE • WASHINGTON, D. C. 20036

OFFICE
OF THE PRESIDENT

Mary 15, 1967

The Editor
The New York Times
New York, New York

Dear Sir:

The Times' editorial on May 13, endorsing the main principles of the Public Television Act will add important support to this unique legislation. However, it misses the opportunity to reinforce the Senate Commerce Committee's amendment of the bill calling for a Public Broadcasting concept.

The Senate Committee's change in the title of the bill and the name of the Public Corporation recognizes that radio and television should be seen as complementary resources that must both be used fully to meet the varied educational,cultural, and social demands of our society.

Times' critic Jack Gould, who has helped greatly to give radio new visibility in his columns of the press and the halls of the Congress, noted in a February 26 article that radio has been "a victim of the discrimination that surely should be corrected in any long-range consideration..." The Senate bill, as amended, does precisely that and the likelihood of educational broadcasting being able to serve through both its media is considerably enhanced by the conceptual implications of their amendments.

Both the problems and the promise that the Times anticipates for television also relate to radio, not because the media are identical, but because together they represent a total potential for service that can not be fulfilled by either one alone.

Sincerely yours,

William G. Harley

William G. Harley
President

WGH:mab

New York Times

...ry day by The New York Times Company

...Y S. OCHS, Publisher 1896-1...
...D. MAYFOOS, Publisher 19...

B-4

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d chance
xtremists
...onstitutional solution
... not seeking a violent one.

Go-Ahead for Public TV

President Johnson's excellent proposal for a quasi-public corporation to spark the development of non-commercial television has cleared its first hurdle with its approval by the Senate Commerce Committee. If progress through the full Senate and the House is swift, as it should be, the new body can begin addressing itself this year to the basic issues on which depend the future of public television.

Neither the President's bill nor the trail-blazing reports of the Ford Foundation and the Carnegie Commission on Educational Television grapple in any specific terms with the ways by which educational TV can achieve its maximum capacities as a medium of information, entertainment and cultural enrichment.

Spokesmen for all the commercial networks have made clear their conviction that a strong public TV system will not only be valuable in itself but also as a goad to higher standards in the established branches of television. Guidelines for the attainment of full public dividends in that direction will be required.

A major need, of course, is to insure that educational TV will provide broader dimensions in the coverage of news—local, national and global—and in the significance of the news. The Ford Foundation plans to conduct an experimental laboratory to this end next winter on ...ore than 100 interconnected noncommercial stations.

But this experiment will still leave many unanswered questions, especially in such areas as the relative stress to be put on development of community-oriented stations and on building up creativity in a centralized network command. Most important of all will be the drafting of recommendations for the President and Congress as to sources for the substantial public contribution that will be needed to insure the vitality of the entire enterprise.

Creation of the new Corporation for Public Television will not solve any of these problems, but it will provide the instrumentality out of which considered solutions can come.

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

1346 CONNECTICUT AVENUE · WASHINGTON, D. C. 20036

OFFICE
OF THE PRESIDENT

May 15, 1967

The Editor
The Washington Post
Washington, D. C.

Dear Sir:

The Post's editorial on May 14, endorsing the main principles of the Public Television Act will add important support to this unique legislation. However, it misses the opportunity to reinforce the Senate Commerce Committee's amendment of the bill calling for a Public Broadcasting concept.

The Senate Committee's change in the title of the bill and the name of the Public Corporation recognizes that radio and television should be seen as complementary resources that must both be used fully to meet the varied educational, cultural, and social demands of our society.

The Senate bill, as amended, corrects the inappropriate omission of radio and the potential for educational broadcasting to serve through both its media is considerably enhanced by the conceptual implications of their amendments.

Both the problems and the promise that the Post anticipates for television also relate to radio, not because the media are identical, but because together they represent a total potential for service that can not be fulfilled by either one alone.

Sincerely yours,

William G. Harley
President

WGH:mab

Washington Post

May 14, 1967

Public Television

The Senate Commerce Committee deserves a round of thanks for acting so quickly on the public television bill. This legislation deals with one of the most important matters facing Congress this year and should be given prompt attention on the Senate floor and in the House.

Generally speaking, the bill reported out of committee this week is good. It creates a Corporation for Public Television to support noncommercial television and radio and authorizes an appropriation of $9 million for its first year of operations. The Committee took recognition of the need to insulate the Corporation from political pressure by providing that only 9 of its 15 directors be appointed by the President and confirmed by the Senate. The other six directors will be elected by the nine presidential appointees. While we wish the Committee had gone farther and provided for representation of local educational stations on the board of directors, this appears to be a satisfactory way to start the Corporation. In any event, the ability of the Corporation to operate unfettered by political pressure will depend heavily on the character of the men named to run it and on the kind of financing available to it.

By deferring the question of permanent financing until next year, as requested by the President, the Commerce Committee has given itself time to make a thorough study of several possible systems. It should lose no time in getting on with that study. The question is difficult because the sums of money needed to operate a truly good public television system are large and the need to find a method of raising them that is free from political influence is great.

EDWARD M. KENNEDY
MASSACHUSETTS

United States Senate

WASHINGTON, D.C. 20510

May 7, 1968

Mr. Al Hulsen
WFCR
Hampshire House
University of Massachusetts
Amherst, Massachusetts

Dear Mr. Hulsen:

Thank you very much for your correspondence regarding the proposed revisions of the copyright law. I appreciate your taking the time to set forth so clearly your position on some of the more difficult questions which a new bill presents.

The Hearings and the many helpful comments and suggestions of people like yourself, indicate that there are many refinements and revisions necessary to achieve a balanced and workable program. The Subcommittee staff is now in the process of reviewing a number of proposals and I have brought your suggestions to their attention.

I intend to follow closely developments on the legislation and will certainly keep your point of view in mind as consideration of the bill progresses.

With best regards, I am

Sincerely,

Edward M. Kennedy

Edward M. Kennedy

May 5, 1967

The Honorable John O. Pastore
Senate Commerce Committee
Communications Subcommittee
Room 126-A
Old Senate Office Building
Washington, D. C.

Dear Senator Pastore:

This letter is written by the NAEB in response to inquiries made during recent hearings on S. 1160, regarding the operational functions of the Corporation for Public Television. As a result of meetings among representatives of the Carnegie Commission, National Educational Television and the NAEB, arranged pursuant to a Committee suggestion, all parties agreed to the following statement, which was submitted by Dr. Killian:

> The ultimate responsibility for interconnection for national program distribution must rest with the Corporation.
>
> In exercising this responsibility, the Corporation clearly has the option of choosing among several methods. It might appoint an advisory committee, including representatives of local educational broadcast stations, to suggest to it policies for the handling of interconnection or to review the interconnection decisions which it had made over a stated period. As another approach, the Corporation might exercise its interconnection responsibility by special contractual arrangements. It might wish to aid in the formation of a new organization or advisory group, including representatives of the local stations and the program suppliers, to handle day-to-day decisions on interconnection. Whatever special administrative arrangements are made by the Corporation in exercising its option, however, it must retain ultimate responsibility.

The following NAEB comments are offered in the light of the foregoing statement:

1. An important distinction exists between an interconnected national program "distribution" system and a "network" system. "Distribution" involves an interconnection system which delivers programs unrelated to scheduling and unidentified as emanating from a common source. The local station so interconnected selects that programming it chooses to run, tapes it for convenient scheduling, and rejects whatever it wishes. A "network", on the other hand, is an identifiable entity and generally interconnects stations for simultaneous multiple broadcasts. Section 396 (a) (3) of S. 1160 prohibits the Corporation from owning or operating a network.

2. It is essential to the full development of a viable noncommercial educational nationwide service that educational stations, both television and radio, have access to a "network" service, as defined above. Two such networks -- NET and NER -- exist today, though lamentably underfinanced. These networks were specifically created to meet the needs of local stations for a regular supply of quality programming. Section 396 (a) of S. 1160 declares that the general welfare would be encouraged by educational broadcast service not only "in particular localities" but "throughout the United States", and encourages a "national policy" which would make such service "available to all the citizens of the United States". The corporate purposes outlined in Section 396 (g) include assistance for "one or more systems of noncommercial educational television or radio broadcast stations throughout the United States." At least three separate sections of the bill (Sections 396 (a) (2), (4), and (g) (1) (A)) emphasize the desirability of diverse programming sources. There is thus ample provision in S. 1160 for the Corporation to foster such a system of networks, be they the two mentioned above or others.

3. Interconnection, whether for "distribution" or for "network" purposes, raises potentially delicate program decision-making problems. At some juncture, a decision must be made regarding the choice of product to be placed in the system, if only because of capacity limits. In many instances program content will be a significant decisional factor. For these reasons, the NAEB strongly favors the second and third options in the above-quoted statement of Dr. Killian. More specifically, the NAEB believes that the Corporation would best serve its own interests as well as those of educational broadcasting by exercising "its interconnection responsibility by special contractual arrangements." The complexity of operational needs, the urgency for a regular program service of high quality, and the desirability of scheduled interconnection from the viewpoint of the local station, all require day-to-day decisions that may best be made by other experienced organizations under specific contracts. Likewise, the NAEB believes that a mutual authority, including representatives of the

stations and program suppliers, and operating on a daily basis with these daily problems independent of the Corporation except for its continuing support and surveillance, affords the best opportunity for satisfying these needs in a practical and free manner.

4. The Corporation is the supplier of funds. As such, it carries the final responsibility for all of its activities, including the essential interconnection service. That responsibility should be exercised in its review of the conduct of those entrusted with providing the service, and in its decisions to continue to support one such entity over another. But that review should not properly encompass day-to-day program decision-making functions by the Corporation of the interconnection entity.

5. The NAEB is also in agreement with the thoughts expressed by Dr. Killian in his letter of May 3, 1967 to this Committee. We share Dr. Killian's fear of the establishment of such a strong educational network that all local stations would be reduced to mere "affiliates", with programs determined by remote fiat and an attendant loss of diversity and local autonomy. However, the NAEB submits that the fears generated by historical reference to commercial networks are greatly allayed by the absence in noncommercial operations of the commercial motivations surrounding such network systems. The NAEB thoroughly supports Dr. Killian's view that the Corporation should be precluded from program production, and from the prerogative of program scheduling.

6. Finally, the NAEB concurs strongly with Dr. Killian's comments concerning Section 396 (g) (2) (D) of S. 1160, with respect to dissemination of information about noncommercial educational broadcasting. Program producers, production agencies, local stations, and the Corporation itself, must be able to provide public information services in connection with particular programs and activities. Without publicity, there is no value in broadcasting. A public unalerted to program offerings at a particular time is a public unable to utilize such programs. In the NAEB's experience, these promotional activities are an integral part of production and broadcast services.

We trust that our comments on these matters will be useful to the Committee in its deliberations upon S. 1160.

Sincerely yours,

THE EDUCATIONAL TELEVISION FACILITIES ACT
PUBLIC LAW 87-447

FACT SHEET

The Act was signed into law May 1, 1962, to stimulate construction of noncommercial educational television broadcasting facilities on VHF or UHF channels reserved for educational use by the F.C.C.

The sum of $32 million is authorized for this purpose over a 5-year period in Federal matching grants, with not more than $1 million of these Federal funds to be applied to facilities within any one State. Grants may be made for up to 50 percent of the reasonable and necessary cost of an eligible project, plus an additional amount of up to 25 percent of the cost of eligible transmission apparatus owned by the applicant on the date of application with the following limitations:

1. In no case may the Federal grant exceed 75 percent of the cost of an eligible project.
2. Not more than 15 percent of any Federal grant may be used for acquisition and installation of apparatus to be used for the interconnection of two or more stations.
3. The closed circuit usage of any equipment acquired under this program must be incidental to broadcast usage.
4. An applicant's own matching funds may be applied only to the purchase of items of equipment which are in the categories of transmission apparatus eligible for inclusion in Federal grant projects.
5. Expenditures for such items as land, buildings, and furniture are not includable in an applicant's project, either for Federal grant or for matching purposes.

TO BE ELIGIBLE FOR CONSIDERATION FOR A GRANT, AN APPLICANT MUST BE:

1. An agency or officer responsible for the supervision of public elementary or secondary education or public higher education within a State, or within a political subdivision thereof.
2. A State educational television agency.
3. A college or university deriving its support in whole or in part from tax revenues.
4. A nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage educational television broadcasting and is eligible to receive a license from the Federal Communications Commission for a noncommercial educational television broadcasting station pursuant to the Rules and Regulations of the Commission in effect on April 12, 1962.

IN ADDITION, EACH APPLICANT MUST:

1. Demonstrate his financial ability to provide the non-Federal funds needed for the construction, operation, and maintenance of the facility described in his application.
2. Give assurance that broadcasting facilities will be used only for educa-

(over)

tional purposes.

3. Allow the Federal Government to maintain a 10-year interest in the use of the facilities.
4. File requisite applications with the Federal Communications Commission.

Application forms may be obtained from: Chief, Educational Television Facilities Branch, Division of Library Services & Educational Facilities, Bureau of Adult & Vocational Education, U.S. Office of Education, Washington, D.C. 20202.

DISCRIMINATION PROHIBITED -- Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." Therefore the Educational Television Facilities Program like every program or activity receiving financial assistance from the Department of Health, Education, and Welfare, must be operated in compliance with this law.

XEROX COPY

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ATTORNEYS AT LAW

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377-2791

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ST. PETERSBURG, FLORIDA
896-0601

CABLE ADDRESS
"FOWHITE"

PLEASE REPLY TO:
P. O. BOX 1438
TAMPA, FLORIDA
33601

May 30, 1967

Mrs. Marjorie Newman
Program Director, WFSU-FM
The Florida State University
Tallahassee, Florida 32306

Dear Marjorie:

There is very little time to write, but I do want to acknowledge your letter of May 23 before I leave on a trip which will keep me out of the office the balance of this week.

I am sending you herewith a copy of the reply I received from Senator Pastore, together with the material which he enclosed.

I certainly would not object to copies of my letter being sent to the full committee, and hope you and the others there will feel free to do this if you think it would serve some purpose in connection with other material that may be prepared. However, I feel it might be somewhat presumptuous of me to do this directly, and I hope you will understand and agree.

With best regards,

Sincerely,

LeRoy Collins

XEROX COPY

WARREN G. MAGNUSON, WASH., CHAIRMAN
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ROBERT P. GRIFFIN, MICH.

United States Senate

COMMITTEE ON COMMERCE

May 18, 1967

Governor LeRoy Collins
Fowler, White, Collins, Gillen,
Humkey and Trenam
P. O. Box 1438
Tampa, Florida 33601

Dear Governor:

Thank you very much for your kind and generous letter of May 9, 1967.

I am happy to report that the Senate yesterday passed this legislation. There is no question in my mind but that this legislation will go down as one of the most important considered by the 90th Congress.

In view of your interest, I am enclosing a copy of the Committee report as well as the opening statement that I made when the hearings started on April 11th.

Again, thanks for your thoughtfulness in writing about this significant subject.

Sincerely yours,

JOHN O. PASTORE
U. S. S.

BOSTON UNIVERSITY

145 Bay State Road, Boston, Massachusetts 02215 Telephone 617/262-4300 - Ext. 2115

May 24, 1967

Vice President for University Affairs

RECEIVED
MAY
26
1967
NAT'L EDUCATIONAL RADIO

Mr. Jerrold Sandler
Executive Director
National Educational Radio
1346 Connecticut Avenue N. W.
Washington, D. C.

Dear Jerry:

The enclosed is FYI. It was thoughtful of Senator Kennedy, and may add at least one small bright spot to your day.

Best wishes in your upcoming meetings.

Sincerely,

Russ

Russell R. Jalbert

RRJ:mbd
Enc.
cc. Will Lewis

Edward M. Kennedy
Massachusetts

United States Senate

May 18, 1967

Mr. Russell Jalbert
Vice President
Boston University
Boston, Massachusetts

Dear Mr. Jalbert:

Just a note to tell you how pleased I was that the Public Broadcasting Act, which passed the Senate yesterday, contained provisions authorizing public aid for educational radio.

You were very instrumental in bringing the need for this public support to my attention, and I was happy to point this out to Senator Pastore's Subcommittee when I appeared before it on April 12th. And I am sure that your testimony on April 14th, as a representative of National Educational Radio, was of primary importance in focusing attention on the needs of educational radio.

I was pleased to be on the Senate floor during the debate on the Public Broadcasting Act, and to have made a statement in support of it.

I have enclosed tear sheets from the Congressional Record which include the debate on the bill.

I am sure that WBUR will continue to be a leader in educational radio, and I hope that if there is anything I can do to help you will let me know.

Sincerely,

Edward M. Kennedy

Curry *Steel* Products Company

Business Established 1901

Equipment for Farm, Ranch and Industry

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CLifton 2-2406

415-421 South Spring

P. O. Box 443

INDEPENDENCE, MISSOURI
64051

May 17, 1967

Mr. Myron M. Curry
905 N. 25th St.
Grand Forks, N. D. 58201

Dear Myron:

Herewith is the original letter from Harley O. Staggers, Chairman of the Committee which will handle the H. R. 6736 and S. 1160, Public Television Act of 1967 hearings. I believe I sent you a copy of my letter to Mr. Staggers which will identify his Committee.

Sincerely,

Dad

L. F. P. Curry

LFPC:za

Enclosure

Copy

American Association of University Women

Oregon State Division

May 8, 1967

RECEIVED
MAY 15 1967
NATL EDUCATIONAL RADIO

The Honorable Warren Magnuson
United States Senate
Washington, D. C.

Sir:

At the forty-second annual Convention of the Oregon Division of the American Association of University Women, the delegates in attendance passed the following resolution:

"Whereas the American Association of University Women supports the establishment, development, and extension of educational broadcasting both at the national and state level, therefore be it resolved that the Oregon State Division endorse and commend the passage of S 1160, the Public Television Act of 1967."

A public non-commercial radio and television facility has an unlimited potential for public service in the public interest. The impact of the television media with its influential powers, however, makes it imperative that the private non-profit corporation be protected against pressures of any kind from any source. We believe this to be the intent of the Congress, but must add our concern in this regard.

Sincerely,

Mrs. Barbara Knudson
848 Greenwood Dr. NE
Salem, Oregon 97303
Mrs. Virginia LaBounty
Co-Chairmen, Legislative Program
Oregon Division
American Association of University
Women

WARREN G. MAGNUSON, WASH., CHAIRMAN
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HUGH SCOTT, PA.
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JAMES B. PEARSON, KANS.
ROBERT P. GRIFFIN, MICH.

United States Senate

COMMITTEE ON COMMERCE

RECEIVED
MAY 15 1967
NATL EDUCATIONAL RADIO

May 10, 1967

Mr. Jerrold Sandler
Executive Director
National Educational Radio
1346 Connecticut Avenue N.W.
Washington, D.C.20036

Dear Mr. Sandler:

My appreciation for calling attention to the reference made in the May 6th issue of The New Republic to our Educational Radio and Television Measure.

The reprint of the article is most appreciated.

Kindest regards.

Sincerely,

Warren G. Magnuson

WARREN G. MAGNUSON, U.S.S.

WGM.d

QUESTIONS AND ISSUES ABOUT THE PUBLIC BROADCASTING ACT

(References are to S.1160 voted by the Senate on May 17, 1967)

1. Does the Corporation for Public Broadcasting lead to government control of broadcasting?

   No. The government already licenses broadcasting stations through the Federal Communications Commission; nothing in present proposals changes that relationship. To avoid government control of programs the bill provides for a system of checks and balances that apportions responsibility among the Public Corporation's Board of Directors, the Congress, the President, and most importantly, the stations themselves which retain the option to make all their own program decisions.

2. Does the President's power to appoint the Board of Directors make this Public Corporation a political instrument?

   No. The President appoints only nine of the fifteen directors and those nine must be confirmed by the Senate. Through a rotation of tenure, terms of a majority of the directors will always extend beyond presidential tenure.

3. Does government assistance to educational broadcasting hurt the commercial broadcasting business?

   No. Experience shows that the addition of good educational broadcasting services in a community do not diminish the mass audiences to which commercial entertainment programs are directed. The present effort is not to develop programs that will duplicate ~~the appeal of the presently available~~ make available existing commercial programs but to ~~provide~~ for the American public an additional range of programs choices services.

4. Will the Public Broadcasting Act inhibit the development of UHF and FM? commercial broadcasting?

   No. In fact, the evidence suggests that commercial UHF and FM operators benefit from the existence of educational UHF stations which have helped to increase the number of all-channel receivers and which have stimulated interest in viewing ~~UHF channels~~ and listening to FM radio. Hybrid.

5. Is there any rel. bet. + Does the Corporation for Public Broadcasting ~~jeopardize the further development of~~ Pay-TV?

The Public Broadcasting Act is not related to pay-TV. Pay-TV experiments to date have been built on a general entertainment service, not on the need to provide more extensive educational, informational, and cultural materials by means of broadcasting. The Public Broadcasting Act will aid only programs broadcast freely to all homes.

6. Will the ~~non-commercial~~ Corporation for Public Broadcasting diminish the need for local control and support of ~~radio~~ and television stations?

Not at all. Currently about $70 million is ~~spent~~ supplied annually for educational broadcasting from local or non-federal sources. Federal support from the Public Broadcasting Act will not replace this income. Local support of stations will continue to be essential. ~~because of the need for continuing local financing and local programming services.~~

7. Why should the average tax payer pay for a program service for the elite?

No one is proposing that the programs of the Corporation be for the "elite". Although existing educational broadcasting stations occasionally appeal to such audiences, the majority of programs appeal to other audiences including school children, underprivileged adults, laborers, municipal employees, retired persons and others; virtually all groups of citizens. The Act will enable the development of new services with broadened appeal.

8. Why is the American tax payer being asked to build a federal broadcasting network?

He is not. The present bill asks only that funds be appropriated for a one year period to improve and expand existing radio and television program services to bring to the American public additional educational, informational, and cultural materials. There are now 2 national and 7 regional and 10 state non-commercial radio and TV networks. The proposed Act would aid them in more effective distributing of materials to educational radio and television stations

that wish to broadcast them. The Public Broadcasting Corporation would not itself own or operate any of these stations or networks.

9. Is Congress being asked to appropriate funds over which it has no control?

No. The Congress has the responsibility of controlling the collection and disposition of all funds raised through tax revenues. The proposed Public Broadcasting Corporation would be a quasi-government agency and does not modify that ultimate control, but removes the actual operation of the Corporation from immediate government supervision so as to preclude other forms of control over program and operation.

6/14/67

XEROX COPY

CHARLES E. BENNETT
MEMBER
2D DISTRICT, FLORIDA

COMMITTEE:
ARMED SERVICES

CHAIRMAN, REAL ESTATE
SUBCOMMITTEE
MEMBER, CIA SUBCOMMITTEE

Congress of the United States
House of Representatives
Washington, D.C.

May 26, 1967

J. RICHARD SEWELL
ADMINISTRATIVE ASSISTANT

AUDREY W. STRINGFELLOW
EXECUTIVE SECRETARY
IN CHARGE OF JACKSONVILLE OFFICE
226 FEDERAL BUILDING

JOHN D. TYSON
LEGISLATIVE ASSISTANT

JEANNETTE CHESBROUGH SOWERS
VERA BISHOP
MARY ALICE HEDGE
MARGARET L. SAFFELL
PAUL J. WALSTAD
SECRETARIES

Mrs. Marjorie Newman
Program Director, WFSU-FM
The Florida State University
Tallahassee, Florida 32306

Dear Mrs. Newman:

Thank you for your May 23 letter. I am glad to have your further comments on this legislation, and you can be sure I will have them in mind when the bill comes before the House floor.

With kindest regards, I am

Sincerely,

Charles E. Bennett

CEB/pjw

DON FUQUA
2d District, Florida

1223 Longworth House Office Building
Washington, D.C. 20515

Congress of the United States
House of Representatives
Washington, D.C.

May 25, 1967

Mrs. Marjorie Newman
Program Director, WFSU-FM
University Broadcasting Services
The Florida State University
Tallahassee, Florida 32306

Dear Mrs. Newman:

Thank you for your letter of May 23, 1967, regarding the legislation proposing the Public Broadcasting Act of 1967.

I appreciate very much your taking the time once again to relate to me your views on this most important matter. It is always helpful to have the benefit of the thinking of those who are directly concerned with such matters.

You can be assured I will very carefully study and consider this bill when it is brought before the House for consideration.

Sincerely,

Don Fuqua, M. C.

DF:Fs

EDWARD J. GURNEY
5TH DISTRICT, FLORIDA

WASHINGTON OFFICE:
459 HOUSE OFFICE BUILDING

COUNTIES:
BREVARD ORANGE

Congress of the United States
House of Representatives
Washington, D.C.

COMMITTEES:
SCIENCE AND ASTRONAUTICS
EDUCATION AND LABOR

DISTRICT OFFICE:
CHERRY PLAZA HOTEL
ORLANDO, FLORIDA

DISTRICT REPRESENTATIVE:
CHARLES L. MARTIN, JR.

June 14, 1967

Mrs. Marjorie Newman
Program Director, WFSU-FM
The Florida State University
Tallahassee, Florida 32306

Dear Mrs. Newman:

I certainly appreciate your writing to me once again on the subject of public broadcasting.

Like you, I was pleased to see that there was safeguarding language in the legislation that was passed on this matter.

I hope you will continue to keep me informed on the views of the University broadcasting services on current legislation.

Sincerely,

Ed Gurney

Edward J. Gurney

EJG:brp

EDWARD J. GURNEY
5TH DISTRICT, FLORIDA

WASHINGTON OFFICE:
459 HOUSE OFFICE BUILDING

COUNTIES:
BREVARD ORANGE

Congress of the United States
House of Representatives
Washington, D.C.

COMMITTEES:
SCIENCE AND ASTRONAUTICS
EDUCATION AND LABOR

DISTRICT OFFICE:
CHERRY PLAZA HOTEL
ORLANDO, FLORIDA

DISTRICT REPRESENTATIVE:
CHARLES L. MARTIN, JR.

May 1, 1967

Mrs. Marjorie Newman
Program Director, WFSU-FM
Florida State University
Tallahassee, Florida 32306

Dear Mrs. Newman:

Thanks so much for your letter concerning educational television.

I assure you that I share your avid interest in this subject, although I do have some reservations, as you may also, about the possibility of Federal heavy-handedness here. There are no hearings presently scheduled in this area, but when they do come up, I will certainly give this matter my closest attention.

If there is any further way in which I may be of assistance, just let me know.

Sincerely,

Ed Gurney

Edward J. Gurney

EJG:pt

JAMES B. PEARSON
KANSAS

United States Senate

WASHINGTON, D.C. 20510

May 13, 1968

RECEIVED
MAY
20
1968
NATL EDUCATIONAL ... 10

Mr. Jack M. Burke
Manager
KSAC Radio Station
Kansas State University
Manhattan, Kansas 66502

Dear Jack:

I have your letter and most helpful memorandum regarding the new copyright bill and its effect on KSAC.

This is most helpful, and I shall certainly do all possible to sustain your position.

With kindest personal regards, I remain

Very truly yours,

James B. Pearson
United States Senator

Legislative Contacts

Zwach, John M. (Minn.) Letter from and reply to F..Barry
Stratton, Samuel S. (New York) Interview with Fredette
Baring, Walter S. (Nevada) Letter from Sidler
Brotzman, Donald G. (Colorado) Interview with and reply to Jack Burke; interview with Luke Lamb

Andrews, Mark (North Dakota) Interview with Curry
Harvey, James (Mich.) Interview With E.G. Burrows;interview with Luke Lamb

Dingell, John D (Mich.) "
Esch, Marvin L (Mich.) Interview with Burrows
Pickle, J. (Texas) Interview with Jack Burke; interview with Luke Lamb

Dole, Bob (Kansas) Interview with Jack Burke
Skubitz, Joe (Kansas) "
Pirnie, Alexander (New York) "Care Package" from J. Sandler
Kornegay, Horace (North Carolina) Interview with LukeLamb
Van Deerlin, Lionel (California) "
Younger, Arthur J.(California) "
Broyhill, James T. (North Carolina) "
Macdonald, Samuel N. "
Moss, John E. (California) "
Rogers, Paul G. (Florida)
Satterfield, David E. 3rd. (Virginia)
Ronan, Daniel J. (Illinois) Interview with Luke Lamb
Blanton, Ray (Tenn) "
Springer, Will L. (Illinois) "
Devine, Samuel L. (Ohio) "
Keith, Hastings (Mass.) "
Carter, Tim Lee (Kentucky) "
Watson, Albert W. (South Carolina)"
Brown, Clarence J. Jr. (Ohio)"
Kuykendall, Dan (Tenn.) "

DON FUQUA
2D DISTRICT, FLORIDA

1223 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515

Congress of the United States
House of Representatives
Washington, D.C.

May 2, 1967

Mrs. Marjorie Newman
Program Director, WFSU-FM
University Broadcasting Services
The Florida State University
Tallahassee, Florida 32306

Dear Mrs. Newman:

Thank you very much for your letter regarding HR 673 proposing the Public Television Act of 1967.

I deeply appreciate your having taken the time to bring to my attention the facts and information contained in your letter. This is indeed most helpful to me as I study this legislation which is presently pending before the House Committee on Interstate and Foreign Commerce. I realize the importance of the matter to you, and it is good to learn of the effectiveness that has been realized through the media of educational radio and television.

This is a matter to which I wish to give very careful and thorough consideration. I believe that every precaution that can be made to prevent the Federal government becoming too closely involved with these communication media should receive every due consideration. I want to give very careful study to these proposals and am grateful for the opinion which you have related to me.

Sincerely,

Don Fuqua, M. C.

DF:Fs

CHESTER L. MIZE
2D DISTRICT, KANSAS

COUNTIES:
ATCHISON
BROWN
CLAY
DICKINSON
DONIPHAN
GEARY
JACKSON
JEFFERSON
LEAVENWORTH
MARSHALL
MORRIS
NEMAHA
POTTAWATOMIE
RILEY
SHAWNEE
WABAUNSEE
WASHINGTON
WYANDOTTE

Congress of the United States
House of Representatives
Washington, D.C. 20515

1109 LONGWORTH HOUSE OFFICE BUILDING
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BANKING AND CURRENCY COMMITTEE
SUBCOMMITTEES:
INTERNATIONAL FINANCE
INTERNATIONAL TRADE
SMALL BUSINESS

RECEIVED
JUN 26 1967
OFFICE OF EXTENSION
RADIO & TV

June 21, 1967

RECEIVED
JUN
28
1967
NAT'L EDUCATIONAL RADIO

Mr. Jack Burke
Radio Station KSAC
Kansas State University
Manhattan, Kansas

Dear Jack:

It was good to talk to you. Although the Senate has completed its action on the educational television and radio bill, the House version of this legislation is still pending before the Interstate and Foreign Commerce Committee and hearings haven't been scheduled yet. Of course, you know the Interstate and Foreign Commerce Committee has been involved in the railroad strike legislation and hasn't had an opportunity to give much attention to anything else for the last few weeks. I think that we'll surely see this legislation before the end of the session.

I am sending you a copy of the Senate bill and the report. I thought you would like to have these.

Sincerely,

Chester L. Mize
Member of Congress

CLM:tn

Enc. 2

PAUL G. ROGERS
FLORIDA
ROOM 2417, RAYBURN BUILDING

HOME ADDRESS
WEST PALM BEACH, FLORIDA

ADMINISTRATIVE ASSISTANT
ROBERT B. LOCHRIE, JR.

Congress of the United States
House of Representatives
Washington, D.C.

COMMITTEES:
INTERSTATE AND FOREIGN COMMERCE
MERCHANT MARINE AND FISHERIES

SUBCOMMITTEES:
PUBLIC HEALTH
INVESTIGATIONS
MERCHANT MARINE
OCEANOGRAPHY
COAST GUARD
FISH AND WILDLIFE

June 23, 1967

Mrs. Marjorie Newman
Program Director, WFSU-FM
The Florida State University
Tallahassee, Florida

File: A&C-IFC

Dear Mrs. Newman

Thank you very much for your letter of June 19th, and the enclosed copy of Governor Collins letter.

I sincerely appreciate your thoughtfulness in making this information available to me, and I assure you that I will give this matter very careful consideration when it comes before the Committee on Interstate and Foreign Commerce.

Kind regards and best wishes.

Sincerely yours,

PAUL G. ROGERS, M.C.

PGR:ed

To: 6/9/67

Jerry —

for your files —

I sent a copy to Margus, also —

as he requested

Al

AL HULSEN

amherst

June 8, 1967

The Hon. Silvio O. Conte
House Office Building
Washington, D.C.

Dear Congressman Conte:

On behalf of the Western Massachusetts Broadcasting Council, Inc., I urge you to support the present bill (passed by the Senate as S. 1160) now before the House proposing the establishment of a Public Broadcasting Corporation and the appropriation of federal funds for its operation. The proposal has been presented to the House as HR 6736 by Congressman Harley O. Staggers of West Virginia and as HR 7670 by Congressman Torbert H. Macdonald of Massachusetts.

The Western Massachusetts Broadcasting Council operates WFCR, an educational FM radio station located in Amherst, Mass., which can be heard in a radius of up to 100 miles. In cooperation with WGBH (Boston) and WAMC (Albany) and the Eastern Educational Radio Network, its signal reaches into all of New England and most of the Northeast. It receives its funds from the University of Massachusetts and Amherst, Mount Holyoke and Smith Colleges (soon from Hampshire College now being founded) and from contributions by its interested listeners. From the current Program Guide, which I enclose, you will see that broadcasts of great variety are carried daily. These are supplemented by live programs of wide import - such as United Nations Security Council debates - in times of national or international crisis.

With the broad and general attention given television, we are encouraged by the new, if belated, interest accorded educational radio in the present legislation. The Council is presently considering measures whereby programs at our five participating colleges can be coordinated even more closely by radio connection to the benefit both of our own students and faculty and to our other WFCR listeners. Federal support for such a local network would assist the Council greatly in its plans.

For these specific reasons and for our general agreement with the intent of the proposed legislation, we hope you will give this Bill your immediate and vigorous support.

Sincerely yours,

Horace W. Hewlett

Horace W. Hewlett, President
Western Massachusetts Broadcasting Council, In

HWH:lc
Encl.

OFFICE OF THE SECRETARY

AMHERST COLLEGE

June 8, 1967

To: Presidents Gettell
Lederle
Mendenhall
Patterson
Plimpton

At their last meeting, the directors of the Western Massachusetts Broadcasting Council, Inc. asked me to write Congressman Conte in support of the Public Broadcasting bill passed by the Senate and now stalled in the House. The attached is a copy of that letter.

If you are also disposed to ask Representative Conte's or any other Congressman's support, educational radio in general, and WFCR in particular, will be grateful.

You will be interested to know that the Directors voted to refer to WFCR herewith as Five-College - instead of Four-College Radio. While no supporting funds are immediately anticipated, it was their feeling that the whole cooperative enterprise would benefit from this designation.

Cordially,

Horace W. Hewlett, President
WMBC, Inc.

HWH:lc
Encl.

cc WMBC Directors ✓ Bud

BEVERLY BRILEY, MAYOR

Metropolitan Government of Nashville and Davidson County

DAVID MARSHALL STEWART
CHIEF LIBRARIAN

NASHVILLE PUBLIC LIBRARY
222 EIGHTH AVENUE, NORTH
NASHVILLE 3, TENNESSEE

June 23, 1967

RECEIVED
JUN
26
1967
NATL EDUCATIONAL RADIO

The Hon. L. Ray Blanton
The United States Congress
House of Representatives
Washington, D. C. 20002

Dear Congressman Blanton:

There is presently before the Committee on Interstate and Foreign Commerce bill H.R. 6736 for action by the House on S. 1160, The Public Broadcasting Act of 1967, passed by the Senate. You are perhaps aware of the efforts during the past five years to establish a state wide system of educational television stations, some of which are already on the air. There is a great deal yet to be done in this area alone.

There is presently under way a study toward establishing a state network of educational radio stations in Tennessee. This study is being conducted by the University of Tennessee under the sponsorship of various educational institutions from across the state, represented in your district by Memphis State University, Christian Brothers College and Freed Hardeman College (the latter placed station WFHC-FM in operation last month).

Representatives of these and other educational institutions in Tennessee met in Nashville in January of this year to initiate this study and informally organized themselves into the Tennessee Educational Broadcasters Association for the purpose of establishing the Tennessee Educational Radio Network. The purpose of the study is to determine the specific needs of the State for an educational radio network with recommendations for location in areas not now being served and programming to be presented. There is much work to be done and much financial assistance will be needed.

The Public Broadcasting Act of 1967 will provide assistance in this project. We urge you to make a special effort to see that your committee and the House take action on this bill in the present session and that the needs of Tennessee are included in the final legislation.

Yours sincerely,

Alvin L. Bolt, Supervising
Audio-Visual Librarian and
Mgr. of Radio Station WPLN

ALB/ab

BEVERLY BRILEY, MAYOR

Metropolitan Government of Nashville and Davidson County

DAVID MARSHALL STEWART
CHIEF LIBRARIAN

NASHVILLE PUBLIC LIBRARY
222 EIGHTH AVENUE, NORTH
NASHVILLE 3, TENNESSEE

June 23, 1967

The Hon. Dan Kuykendall
The United States Congress
House of Representatives
Washington, D. C. 20002

Dear Congressman Kuykendall:

There is presently before the Committee on Interstate and Foreign Commerce bill H.R. 6736 for action by the House on S. 1160, The Public Broadcasting Act of 1967, passed by the Senate. You are perhaps aware of the efforts during the past five years to establish a state wide system of educational television stations in Tennessee, some of which are already on the air. There is a great deal yet to be done in this area alone.

There is presently under way a study toward establishing a state network of educational radio stations in Tennessee. This study is being conducted by the University of Tennessee under the sponsorship of various educational institutions from across the state, represented in your area by Memphis State University, and Christian Brothers College who is now attempting to construct such a station.

Representatives of these and other educational institutions in Tennessee met in Nashville in January of this year to initiate this study and informally organized themselves into the Tennessee Educational Broadcasters Association for the purpose of establishing the Tennessee Educational Radio Network. The purpose of the study is to determine the specific needs of the State for an educational radio network with recommendations for location in areas not now being served and programming to be presented. There is much work to be done and much financial assistance will be needed.

The Public Broadcasting Act of 1967 will provide assistance in this project. We urge you to make a special effort to see that your committee and the House take action on this bill in the present session and that the needs of Tennessee are included in the final legislation.

Yours sincerely,

Alvin L. Bolt, Supervising
Audio-Visual Librarian and
Mgr. of Radio Station WPLN

ALB/ab

COPY

THE FLORIDA STATE UNIVERSITY

TALLAHASSEE 32306

WFSU-FM RADIO
UNIVERSITY BROADCASTING SERVICES

June 20, 1967

The Honorable Harley O. Staggers
House Office Building
Washington, D.C.

Dear Mr. Staggers:

LeRoy Collins, former governor of Florida and former president of the National Association of Broadcasters, several weeks ago expressed to members of the House Subcommittee on Communications and Power his feelings regarding proposed legislation for public broadcasting with particular reference to educational radio.

Since it is now apparent that the entire Committee on Interstate and Foreign Commerce will be conducting hearings on this legislation, Governor Collins has agreed that I forward a copy of his earlier letter to you as chairman of that committee. (as a member of that committee.)

It is my own hope that the committee will conduct its hearings on the amended Senate bill, the Public Broadcasting Act of 1967, and enact its recommendations. It is only through such support that radio and television will be able to reach their full potential as instruments of education to our individual states and to the nation as a whole.

Your endorsement of such legislation will be important to all educational radio broadcasters.

Sincerely,

(Mrs.) Marjorie Newman
Program Director, WFSU-FM

Encl.

MN/je

cc: LeRoy Collins

Saulber

REPORT ON PUBLIC TELEVISION ACT
June 21, 1967

Democrats

	Vote	Comment
Staggers, Harley - Kaiser, W.Va. (Chairman)	Yes	
Adams, Brock (Seattle,Wash.)	Yes	
Blanton, Ray (Memphis,Tenn.)	?	No contact, but ran as very conservative
Dingell, John (Dearborne,Mich.)	?	Strong forces at work to guarantee that Dingell will vote yes.
Friedel, Samuel (Baltimore, Md.)	Yes	
Jarman, John (Oklahoma City,Okla.)	?	Generally very favorable to ETV. Yes Predicted.
Kornegay, Horace (N.C.	?	Generally favorable, but deeply concerned about "State's Rights". Needs more work.
Kyros, Peter (Portland,Maine)	?	No contact, although very favorable to Administration.
Macdonald, Torbert (Boston,Mass.)	Yes	Generally very favorable to ETV.
Moss, John (Sacramento,Calif.)	Yes	
Murphey, John (N.Y.C.-Staton Island)	?	Reported very favorable.
Ottinger, Richard (Pleasantville,N.Y.)	Yes	
Pickle, Jake (Austin,Tex.)	Yes	
Rogers, Paul (Fla.)	?	Personally sympathetic, but not yes yet - strongly conservative district.
Ronan, Daniel (Chicago,Ill.)	Yes	
Rooney, Fred (Bethlehem, Pa.)	?	Considered very favorable.
Satterfield, David (Richmond,Va.)	?	No contact, although very conservative and may be no.
Stuckey, Williamson (Ga.)	?	Reported very favorable
Van Deerlin, Kionel (Calif.)	Yes	

Republicans

Springer, William - Urbana, Ill. (Chairman)	?	Reported very favorable. Carnegie Commissioner - Univ. of Illinois President David Henry working vigorously
Brotzman, Donald (Boulder,Colo.)	Yes	
Brown, Clarence (Urbana, Ohio)	?	No good information although reported favorable to ETV.
Broyhill, James (N.C.)	?	Generally anti-federal, but interested in "improving TV". Is"open-minded"on bill.
Carter, Tim Lee (Ky.)	Yes	
Cunningham, Glenn (Lincoln, Nebr.)	Yes	Introduced Companion Bill.
Devine, Samuel (Columbus,Ohio)	No	
Harvey, James (Saganow,Mich.)	Yes	
Keith, Hastings (Mass.)	?	Very favorable to ETV in general.
Kuykendall, Dan (Tenn.)	?	Poor contact so far.
Nelsen, Ancher (Minn).	?	Reports indicate no, although we're working.
Watkins, Robert (Chester,Pa.)	?	No Contact, but stong forces at work.
Watson, Albert (S. C.)	?	

TOTALS TO DATE:

YES 13 ?.....12
NO 2 INSUFFICIENT INFORMATION 5

ADD CONGRESSMEN PRESUMED IN FAVOR OF
PUBLIC TELEVISION ACT
June 21, 1967

Presumed in favor:

Kentucky, Hindman	Carl D. Perkins (D)
Ohio, Cleveland	Charles Vanik (D)
Tennessee, Nashville	Richard H. Fulton (D)
Vermont, Ruthland	Robert T. Stafford (R)
Washington, Spokane	Thomas S. Foley (D)

Not in favor, but will not oppose:

Iowa, Waterloo	H. R. Gross (R)
Kentucky, Jeffersontown	Marion G. Snyder (R)

In favor, but will not vote:

Ohio, Cincinnati	Robert Taft, Jr.

SUGGESTIONS CONCERNING LEGISLATIVE CONTACTS

1. It is difficult, though not impossible, to generate enough letters and telegrams to a Member of the Congress to impress him by sheer volume alone. Failing that, the best method is by means of personal visits or communications from people he has reason to respect -- top educators, Governmental figures (mayors, State assemblymen, and the like) and businessmen. The higher the level of the individual, the more attention his message will receive.

2. The communications should be as personal as possible:

   A. The most effective is a personal visit, either in Washington or when he is at home; in these days of jet travel, most Members are home at least once a month, and many are home weekly. Each Member maintains an office in his home district or state, and you can usually learn your Member's schedule by calling his office. You can get the number from Information in the city where his office is located.

      Perhaps the most effective thing you can do will be to arrange for a group of educators, businessmen and interested parents to meet with the Member when he is home.

      If you do this --

         (1) Have a main spokesman who is well schooled in the facts;

         (2) Bring the Member supporting information and proposals in writing, if possible; and

         (3) Ask for a commitment -- this is important.

   B. The second most effective action is a personal telephone call. You can reach the office of any Congressman or Senator by calling him person-to-person at Area Code 202, CApitol 4-3121, which is the number of the Capitol switchboard. Generally, his staff will attempt to have the call answered by a staff member; this is only natural since Members receive many calls each day. At this point you will have to use your judgment as to whether you should "hold out" for a personal conversation with the Member. If he is a Senator from a large and populous state, your chances of talking to him personally will be small. If he is a Congressman, or a Senator from a sparsely populated state, you will usually be able to get him personally if you keep trying.

      When you get your man on the phone, remember that he is busy. State your case as rapidly and as concisely as you can; make notes ahead of time to insure that you cover all important points. In closing, ask for a commitment -- and make sure he does not couch it in

language which gives him an easy "out". A promise to "consider the whole thing seriously, when it comes up", is the same as no commitment at all.

(1) If you decide to settle for a staff member, ask for "the person who is in charge of legislative matters". In the case of a Senator, this will usually be his Legislative Assistant. In a Congressman's office it will very likely be his Administrative Assistant.

C. Next in order of importance is a telegram. If you decide to send a wire, make it a long one; go into detail, state your position and your request fully and clearly.

D. The least effective contact is a letter -- unless it is from a personal friend of the Member, or a person he has reason to respect. It is physically impossible for Members to read the many hundreds of letters they receive each week. Their staffs simply maintain running counts of the numbers received for or against any issue, and in many cases the letters are answered by means of form letters which are carefully designed to sound like personal letters, but which are typed in large quantities on automatic typewriters and even, in some cases, signed by automatic signing machines.

But if you write a letter, do it right:

(1) Write it in your own words. Members and their staffs can quickly spot form letters.

(2) Use the proper form of address:

To address a Senator:	To address a Congressman:
The Honorable John Smith	The Honorable James Roe
United States Senate	U. S. House of Representatives
Washington, D. C. 20510	Washington, D. C. 20515
Dear Senator Smith:	Dear Mr. Roe:

(3) Members must deal with a multitude of different pieces legislation in many different fields, so be specific -- in the first paragraph of your letter, refer to the bill number and its general subject. The only exception here is in connection with an appropriations bill; it is entirely adequate, in that case, to refer to "the appropriation for Title III of the National Defense Education Act, which is a part of the Labor-HEW Appropriations Bill".

(4) The most influential men on any given matter are the members of the subcommittee to which that particular matter is assigned. NDEA appropriations, for example, are assigned with all other educational appropriations to the Labor-HEW Appropriations Subcommittees, which are a part of the House and Senate Appropriations Committees. Lists of both of these committees are attached.

HOUSE LABOR-HEW APPROPRIATION SUBCOMMITTEE MEMBERS

Democrats

Name	District	City	State
Daniel J. Flood, Chairman	Eleventh	Wilkes-Barre	Pennsylvania
William H. Natcher	Second	Bowling Green	Kentucky
Neal Smith	Fifth	Altoona	Iowa
Robert R. Casey	Twenty-second	Houston	Texas
W. R. Hull	Sixth	Weston	Missouri

Republicans

Melvin R. Laird	Seventh	Marshfield	Wisconsin
Robert H. Michel	Eighteenth	Peoria	Illinois
Garner E. Shriver	Fourth	Wichita	Kansas

OTHER MEMBERS OF THE HOUSE APPROPRIATIONS COMMITTEE

Democrats

Name	District	City	State
George H. Mahon	Nineteenth	Lubbock	Texas
Michael J. Kirwan	Nineteenth	Youngstown	Ohio
Jamie L. Whitten	Seventh	Charleston	Mississippi
George W. Andrews	Third	Union Springs	Alabama
John J. Rooney	Fourteenth	Brooklyn	New York
Robert L. F. Sikes	First	Crestview	Florida
Otto E. Passman	Fifth	Monroe	Louisiana
Joe L. Evins	Fourth	Smithville	Tennessee
Edward P. Boland	Second	Springfield	Massachusetts
Tom Steed	Fourth	Shawnee	Oklahoma
George E. Shipley	Twenty-third	Olney	Illinois
John M. Slack, Jr.	Third	Charleston	West Virginia
John J. Flynt, Jr.	Sixth	Griffin	Georgia
Robert N. Giaimo	Third	North Haven	Connecticut
Julia Butler Hansen	Third	Cathlamet	Washington
Charles S. Joelson	Eighth	Paterson	New Jersey
Joseph P. Addabbo	Seventh	Ozone Park	New York
John J. McFall	Fifteenth	Manteca	California
Jeffery Cohelan	Seventh	Berkeley	California
Thomas G. Morris	At Large	Tucumcari	New Mexico
Edward J. Patten	Fifteenth	North Amboy	New Jersey
Clarence D. Long	Second	Ruxton	Maryland
John O. Marsh, Jr.	Seventh	Strasburg	Virginia
Sidney R. Yates	Ninth	Chicago	Illinois
David Pryor	Fourth	Camden	Arkansas

Republicans

Frank T. Bow	Sixteenth	Canton	Ohio
Charles R. Jonas	Eighth	Lincolnton	North Carolina
Elford A. Cederberg	Tenth	Bay City	Michigan
Glenard P. Lipscomb	Twenty-fourth	Los Angeles	California
John J. Rhodes	First	Mesa	Arizona
William E. Minshall	Twenty-third	Lakewood	Ohio
Silvio O. Conte	First	Pittsfield	Massachusetts
Odin Langen	Seventh	Kennedy	Minnesota
Ben Reifel	First	Aberdeen	South Dakota
Glenn R. Davis	Ninth	New Berlin	Wisconsin
Howard W. Robinson	Thirty-third	Owego	New York
Joseph M. McDade	Tenth	Scranton	Pennsylvania
Mark Andrews	First	Mapleton	North Dakota
William Harrison	At Large	Sheridan	Wyoming
Louis C. Wyman	First	Manchester	New Hampshire
Burt L. Talcott	Twelfth	Salinas	California
Charlotte T. Reid	Fifteenth	Harrison	Illinois
Donald W. Riegle, Jr.	Seventh	Flint	Michigan

STATE LABOR-HEW SUBCOMMITTEE MEMBERS

Democrats

Name	State
Vacancy	
Vacancy	
Vacancy	
Vacancy	
Vacancy	
Vacancy	
Vacancy	
Vacancy	
Vacancy	
Vacancy	

Republicans

Name	State
Jacob Javits	New York
Roberta Taylor	New Hampshire
Clifford P. Case	New Jersey

[illegible] OF THE STATE, JUSTICE, COMMERCE, JUDICIARY

Democrats

Name	State
Allen J. Ellender	Louisiana
[illegible]	Arkansas
[illegible]	Virginia
[illegible]	Oklahoma
Michael J. Mansfield	Montana
William W. Scranton	Pennsylvania
Ralph W. Yarborough	Texas

Republicans

Name	State
William E. Jenner	North Dakota
Karl E. Mundt	South Dakota
Thomas H. Kuchel	California
Roman L. Hruska	Nebraska

9/23/65

Sandler - CM

HOUSE INTERSTATE AND FOREIGN COMMERCE COMMITTEE

DEMOCRATS	1961/87-447	6/9/67
Staggers, Harley O - West Virginia (Chairman)	Yes	Yes
Friedel, Samuel N. - Maryland - Strong support	Yes	Yes
Macdonald, Torbert - Mass. - (Sub Comm. Chairman) Will probably go along with Chairman.	Yes	Yes
Jarman, John - Oklahoma	Yes	No information
Moss, John E. - California Strong support.	Yes	Yes
Dingell, John - Michigan May be persuaded, perhaps by Moss.	Yes	No
Rodgers, Paul G. - Florida "Report sympathetic."	Yes	Q
Kornegay, Horace - North Carolina	Yes	No information
Van Deerlin, Lionel - California	[redacted]	Yes
Pickle, J. J. - Texas	[redacted]	Yes
Rooney, Fred B. - Pennsylvania	Probable yes	~~No information~~
Murphy, John M. - New York	"Reported favorable"	Q
Satterfield, David E. - Richmond, Virginia		No information
Ronan, Daniel J. - Chicago, Illinois		Yes
Adams, Brock - Washington		Yes
Ottinger, Richard - New York		Yes
Blanton, Ray - Tennessee		No information
Kyros, Peter - Maine		No information
Stuckey, Williamson S. - Georgia	"Reported favorable"	Q

REPUBLICANS		
Springer, William R. - Illinois	"Reported favorable" Yes	Q
Younger, Arthur J. - California	Yes	Q
Devine, Samuel L. - Ohio	No	No.
Nelson, Ancher - Minnesota	No	Q
Keith, Hastings - Massachusetts	Strong support	Yes
Cunningham, Glenn - Nebraska	No	Q
Broyhill, James T. - North Carolina		No information
Harvey, James - Michigan Committed; Leadership potential		Yes
Carter, Tim Lee - Kentucky	Possibility	Q
Watson, Albert - South Carolina		No information
Watkens, Robert G. - Pennsylvania		No information
Brotzman, Donald - Colorado	Good Possibility	Yes
Brown, Clarence J. - Ohio	Good Possibility	Q
Kuykendall, Dan - Tennessee		No information

Sanders -
-CM

1961 Vote on 87-447

Democrat	Republican	Total
Present Commerce: (31 on Committee)		
8 for	4 for	12 for
0 against	3 against	3 against
Present Rules: (15 on Committee)		
5 for	2 for	7 for
2 against	2 against	4 against
Present Appropriations: (51 on Committee)		
21 for	9 for	30 for
1 against	5 against	6 against

June 30, 1967

NAEB Position Regarding H.R. 6736

Name of Bill

The words "Public Broadcasting Act" are more appropriate and accurate because radio, as well as TV and other media are included in the Act.

Title I

1. The Facilities Act has been a success to date, and its extension by means of this title is desirable and necessary.

2. We support:
   a. the additional dollars proposed - $10 1/2 million for this next fiscal year - are badly needed.
   b. the five year extension period.
   c. lifting the per-state ceilings according to the proposed formula as both equitable and responsive to state's needs.
   d. the inclusion of educational radio as a necessary means to achieve a full national educational broadcasting service.
   e. the proposed federal-local formula which allows a greater share of federal support for new stations.
   f. the addition of Guam, the Virgin Islands, Samoa and the Trust Territory of the Pacific Islands to the provisions of this title.
   g. the addition of planning dollars good and necessary.

3. We note, in further support of this title, that although miscellaneous small grants have been made by various federal agencies for TV equipment in the past, only the ETV Facilities Act has provided funds for broadcast equipment for use in behalf of the general public, and no federal funds have ever been granted for educational radio facilities.

Title II

1. We concur with the general aims of the establishment of a Corporation for Public Television (Broadcasting) and we believe that Congress acts in the public interest to establish it.

2. We strongly agree that the Corporation must be free from governmental interference in carrying out its activities.

3. We believe the Corporation as a single, strong entity is essential to make efficient and mutually productive efforts in behalf of the several hundred educational radio and TV stations and their regional and national networks and program services. We believe the Corporation is essential also in terms of satisfactory accountability of its educational broadcasting activities to the Congress.

4. We believe that the method of selecting the Corporation's Board of Directors is consistent with the bill's objectives and provides adequate insulation of corporation activities from government control.

5. We concur that no political test should be made for directors and that the Corporation should not be able to be involved in political activities.

6. We concur that the Corporation be essentially non-operational in any broadcast functions.

7. We agree that it is important for the Corporation to provide funds direct to educational radio and TV stations to support their own operations in addition to their support of particular local programming.

8. We recognize that the bill prevents the Corporation from operating a network or interconnection facility of any kind. We are aware of the position of the Carnegie Corporation which holds that the Corporation should be the source of funds for, and therefore the final authority with respect to such interconnection systems. Should the Corporation fund direct distribution of programs to stations, the NAEB agrees that the Corporation would necessarily retain ultimate authority over this distribution.

We do see a distinction, however, between the simple interconnection delivery system for the Corporation to effect distribution of programs and a full nationwide network operation involving transmission of programs at specified days and times. We support the provisions of the bill which encourage networking services, which as pointed out above, are distinct from the Corporation's distribution services.

9. We concur that the Corporation could have an archival library and we assume that this is not intended as an operating program exchange or distribution service.

10. We support the bill's proposition that the Corporation provide necessary public information services. We assume this also allows the Corporation to fund the public information services of its grantees - stations, program services, and networks.

11. We concur that the Corporation should have authority to accept outside support.

12. We support the provision of the Act which would remove restrictions against the establishment of free or reduced interconnection rates from the common carriers for educational broadcasting.

13. We endorse the President's recommendation for further study of appropriate means for future financing of the Corporation.

14. We concur with the importance of research in public television as well as demonstrations and training.

Title III

1. We approve the purposes of the proposed study. We hope the study will be comparable in conduct and impact to the Carnegie Commission study of public television.

2. We concur that it would be useful for the study to coordinate appropriate media research reports previously made, however we feel

that the principle focus of the study should be on the relationship of these media to the critical problems facing American education.

3. We note and concur that no dollars in this title can be used for equipment or programming. We feel that the recommendations made in this study should provide the basis for long-range national policy regarding such instructional uses of television and radio for the future.

JS

REPORT ON THE PUBLIC TELEVISION ACT

June 30, 1967

Democrats	Presumed Vote	Comment
Staggers, Harley - Kaiser, W. Va. (Chairman)	Yes	
Friedel, Samuel - Baltimore, Md.	Yes	
Macdonald, Torbert - Malden, Mass.	Yes	
Jarman, John - Oklahoma City, Okla.	?	Probable yes.
Moss, John - Sacramento, Calif.	Yes	
Dingell, John - Dearborn, Mich.	?	Reports now appear more favorable. Forces at work.
Rogers, Paul - West Palm Beach, Fla.	?	Reported sympathetic but no assurance.
Kornegay, Horace - Greensboro, N.C.	?	Favorable to ETV, but concerned about federal control in bill. "Open minded."
Van Deerlin, Lionel - San Diego, Calif.	Yes	
Pickle, J. J. - Austin, Texas	Yes	
Rooney, Fred - Bethlehem/Allentown, Pennsylvania	Yes	
Murphy, John - Staten Island, N. Y.	?	Reported favorable to ETV.
Satterfield, David - Richmond, Va.	?	Favorable to ETV, concerned about federal role in Corporation. "Open minded."
Ronan, Daniel - Chicago, Ill.	Yes	
Adams, Brock - Seattle, Wash.	Yes	
Ottinger, Richard - Pleasantville, N.Y.	Yes	
Blanton, Ray - Adamsville, Tenn.	?	Insufficient information. Ran as extreme conservative.
Kyros, Peter - Portland, Maine	?	Reported favorable, has been good administration supporter.
Stuckey, Williamson - Eastman, Ga.	?	Reported favorable.

Republicans		
Springer, William - Champaign, Ill.	?	Reported favorable
Devine, Samuel - Columbus, Ohio	No	Still being contacted.
Nelsen, Ancher - Hutchinson, Minn.	No.	Still at work.
Keith, Hastings - West Bridgewater, Mass.	?	Probable yes, very favorable regarding ETV.
Cunningham, Glenn - Omaha, Neb.	Yes	Filed companion bill.
Broyhill, James - Lenoir, N.C.	?	Generally anti-federal but interested in "improving TV," is open minded, on bill.

Republicans	Presumed Vote	Comment
Harvey, James - Saginaw, Mich.	?	Probable yes, very favorable to ETV.
Carter, Tim Lee - Tompkinsville, Ky.	Yes	
Watson, Albert - Chapin, S.C.	No	A presumed no, although quite likely.
Watkins, Robert - West Chester, Pa.	?	Is favorable to ETV, is being contacted.
Brotzman, Donald - Boulder, Colo.	?	Presumed yes.
Brown, Clarence - Urbana, Ill.	?	Favorable to ETV, still being contacted.
Kuykendall, Dan - Memphis, Tenn.	?	Insufficient information, although presumed sympathetic to ETV.

Here is addtional list "Presumed Will Vote in Favor of"

PUBLIC TELEVISION ACT - June 30, 1967
(Not on Committee)

California, Manteca	McFall, John J.	(D)
California, Roseville	Johnson, Harold	(D)
Massachusetts, Cambridge	O'Neill, Thomas P., Jr.	(D)
Massachusetts, Pittsfield	Conte, Silvio	(R)
Montana, Helena	Olsen, Arnold	(D)
New Hampshire, New London	Cleveland, James	(R)
New York, Albany	Button, Daniel	(R)
New York, Rochester	Horton, Frank	(R)
Ohio, Cleveland	Feighan, Michael	(D)
Pennsylvania, Philadelphia	Eilberg, Joshua	(D)
Pennsylvania, Pittsburgh	Moorhead, William S.	(D)
Pennsylvania, Scranton	McDade, Joseph M.	(R)

SUMMARY OF PUBLIC TELEVISION ACT OF 1967

In general, the Public Television Act of 1967 has three purposes: (1) to extend the program of grants for construction of non-commercial educational television broadcasting facilities and authorize a program of grants for construction of non-commercial educational radio broadcasting facilities, (2) to establish and finance a nonprofit corporation to assist program operations in non-commercial educational television and radio, and (3) to authorize a study of instructional television and its relationship to educational television.

CONSTRUCTION OF FACILITIES

(Title I)

Title IV, Part III of the Communications Act of 1934 (47 U.S.C. 391-397) would be amended by title I of the bill--

1. To extend its provisions through fiscal year 1972, with $10,500,000 authorized for fiscal year 1968 and such sums as may be necessary authorized for the next four fiscal years.

2. To replace the $1,000,000 per State limit with a State limit annually of 12-½ percent of the total appropriation for grants in that fiscal year.

3. To authorize grants for construction of non-commercial educational radio as well as television facilities.

4. To increase the maximum allowable Federal share in project costs from 50 percent to 75 percent and to eliminate the additional 25 percent credit for the cost of broadcasting facilities owned by the applicant before the date of filing his application.

5. To extend the territorial coverage to the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

6. To extend the scope of eligible project costs to include planning of the acquisition and installation of transmission apparatus as well as the costs of actual acquisition and installation itself.

ESTABLISHMENT OF NONPROFIT EDUCATIONAL BROADCASTING CORPORATION

(Title II)

1. Title II of the Public Television Act of 1967 amends part III of title IV of the Communications Act of 1934 to authorize the establishment of a non-profit private corporation (the Corporation for Public Television).

2. The Corporation would have a Board of Directors of 15 members appointed by the President with the advice and consent of the Senate. The members must be citizens of the United States selected from fields such as education, cultural and civic affairs, or the arts, including radio and television; and must be representative of various regions of the country, professions, and occupations, and kinds of experience and talent, appropriate to the Corporation's functions and responsibilities. The members of the Board would serve six-year staggered terms. Each year (except the first year) one of the members would be elected by the Board to serve as Chairman and one or more would be elected to serve as vice chairmen.

3. In addition to the Board of Directors, the Corporation would have a president and other necessary officers; and no political test or qualification could be used in selecting, promoting, or taking other personnel actions with respect to the Corporation's officers, employees, or agents.

4. The Corporation would be non-profit and it would have no power to engage in any political activity.

5. The purposes of the Corporation would, among others, include:

(a) Establishment and development of a system of inter-communication for distribution of public and instructional programs among non-commercial educational television and radio stations;

(b) Establishment and development of a system of non-commercial educational television and radio stations in the United States.

6. In carrying out the above purposes, the Corporation would have the usual powers conferred on District of Columbia non-profit corporations and could--

(a) Accept grants and enter into contracts with other agencies and institutions;

(b) Contract for production or procurement of educational television and radio programs for distribution to educational television and radio stations;

(c) Make payments to non-commercial educational television and radio stations for programming and other operating costs;

(d) Establish and maintain a library and archives for non-commercial educational television and radio programs;

(e) Publicize and disseminate information on educational television and radio;

(f) Support interconnection facilities for distributing and transmitting instructional and public television or radio programs;

(g) Encourage the creation of new non-commercial educational television or radio stations.

(7) The Corporation could not own or operate any television or radio broadcast stations, system, or network or interconnection or program production facility; and it and its contractors and grantees would be free from Federal direction, supervision or control.

(8) Nothing in the Communications Act of 1934 could be construed to prohibit U.S. communications common carriers from rendering free or reduced rate interconnection services to Corporation grantees or contractors and local noncommercial educational television and radio stations, in accordance with F.C.C. rules and regulations.

(9) Annual reports of its operations and on its condition would be made to Congress by the Corporation.

(10) For fiscal year 1968, $9,000,000 would be authorized to be appropriated and for fiscal year 1969, such sums as may be necessary, to assist the Corporation in carrying out its activities. These appropriations would remain available until expended.

STUDY OF EDUCATIONAL AND INSTRUCTIONAL TV BROADCASTING

(Title III)

Title III of the Public Television Act of 1967 authorizes the Secretary of Health, Education and Welfare to conduct or contract for a study of instructional television and its relationship to educational television and its advantages and disadvantages in comparison with other educational media. This report shall be submitted to the Congress on or before January 1, 1969. An appropriation of such sums as may be necessary (but not exceeding $500,000) is authorized for this purpose.

A BILL

To amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this act may be cited as the"Public Television Act of 1967."

TITLE I - CONSTRUCTION OF FACILITIES

EXTENSION OF DURATION OF CONSTRUCTION GRANTS FOR EDUCATIONAL TELEVISION

Sec. 101. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. §§ 391) is amended by inserting after the first sentence the following new sentence: "There are also authorized to be appropriated for carrying out the purposes of such section, $10,500,000 for the fiscal year ending June 30th, 1968, and such sums as may be necessary for the next four fiscal years."

(b) The last sentence of such section is amended by striking out "July 1, 1968" and inserting in lieu thereof, "July 1, 1973."

MAXIMUM ON GRANTS IN ANY STATE

Sec. 102. Effective with respect to grants made from appropriations for any fiscal year beginning after June 30th, 1967, subsection (b) of section 392 of the Communications Act of 1934 (47 U.S.C. §§ 392 (b)) is amended to read:

"(b) The total of the grants for any fiscal year made under this part for the construction of noncommercial educational television broadcasting facilities or noncommercial educational radio broadcasting facilities in any State may not exceed 12½ percent of the portion of the appropriation for such year available for such grants."

NONCOMMERCIAL EDUCATIONAL RADIO BROADCASTING FACILITIES

Sec. 103. (a) Section 390 of the Communications Act of 1934 (47 U.S.C. §390) is ammended by inserting "noncommercial" before "educational" and by inserting "or radio" after "television."

(b) Subsection (a) of Section 392 of the Communications Act of 1934 (42 U.S.C. §392 (a)) is amended by

(1) inserting "noncommercial" before "educational" and by instering "or radio" after "television" in so much thereof as precedes paragraph (1);

(2) striking out clause (B) of such paragraph and inserting in lieu thereof "(B) in the case of a project for television facilities, the State educational television agency or, in the case of a project for radio facilities, the State educational radio agency,";

(3) inserting "(i) in the case of a project for television facilities," after "(D)" and "noncommercial" before "educational" in such paragraph (1) and by inserting before the semicolon at the end of such paragraph", or (ii) in the case of a project for radio facilities, a nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage noncommercial educational radio broadcasting and is eligible to receive a license from the Federal Communications Commission; or meets the requirements of clause (i) and is also organized to engage in or encourage such radio broadcasting and is eligible for such a license for such a radio station ";

(4) striking out "television" in paragraphs (2), (3), and (4) of such subsection;

(5) striking out, "and" at the end of paragraph (3), striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and", and inserting after paragraph (4) the following new paragraph:

"(5) that, in the case of an application with respect to radio broadcasting facilities, there has been comprehensive planning for educational broadcasting facilities and services in the area the applicant proposes to serve and the applicant has participated in such planning, and the applicant will make the most efficient use of the frequency assignment."

(c) Subsection (c) of such section is amended by inserting "(1)" after "(c)" and "noncommercial" before "educational television broadcasting facilities", and by inserting at the end thereof the following new paragraph:

"(2) In order to assure proper coordination of construction of noncommercial educational radio broadcasting facilities within each state which has established a State educational radio agency, each applicant for a grant under this section for a project for construction of such facilities in such State, other than such agency, shall notify such agency of each application for such a grant which is submitted by it to the Secretary, and the Secretary shall advise such agency with respect to the disposition of each such application."

(d) Subsection (d) of such section is amended by inserting "noncommercial" before "educational television" and inserting "or noncommercial educational radio broadcasting facilities, as the case may be," after "educational television broadcasting facilities" in clauses (2) and (3).

(e) Subsection (f) of such section is amended by inserting "or radio" after "television" in the part thereof which precedes paragraph (1), and by inserting "or noncommercial educational radio purposes, as the case may be" after "educational television purposes" in paragraph (2) thereof.

(f) (1) Paragraph (2) of section 394 of such Act (42 U.S.C. § 394) is amended by inserting "or educational radio broadcasting facilities" after "educational television broadcasting facilities," and by inserting "or radio broadcasting, as the case may be" after "televisior broadcasting."

(2) Paragraph (4) of such section is amended by striking out "The term 'State educational television agency' means" and inserting in lieu thereof "The terms 'State educational television agency' and 'State educational radio agency' mean, with respect to television broadcasting and radio broadcasting, respectfully,", and by striking out "educational television" in clauses (A) and (C) and inserting in lieu thereof "such broadcasting."

(g) Section 397 of such Act (42 U.S.C. §397) is amended by inserting "or radio" after "television" in clause (2).

FEDERAL SHARE OF COST OF CONSTRUCTION

Sec. 104. Subsection (e) of section 392 of the Communications Act of 1934 (47 U.S.C. § 392 (e)) is amended to read as follows:

"(e) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding 75% of the amount determined by the Secretary to be reasonable and

necessary cost of such project. The Secretary shall pay such amount from the sum available therefor, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine."

INCLUSION OF TERRITORIES

Sec. 105. (a) Paragraph (1) of section 394 of the Communications Act of 1934 is amended by striking out "and" and inserting a comma in lieu thereof, and by inserting before the period at the end thereof , "the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands."

(b) Paragraph (4) of such section is amended by inserting "and, in the case of the Trust Territory of the Pacific Islands, means the High Commissioner thereof" before the period at the end thereof.

INCLUSION OF COSTS OF PLANNING

Sec. 106. Paragraph (2) of section 394 of the Communications Act of 1934 is further amended by inserting at the end thereof the following: "In the case of apparatus the acquisition and installation of which is so included, such term also includes planning therefor."

TITLE II - ESTABLISHMENT OF NONPROFIT EDUCATIONAL BROADCASTING CORPORATION

Sec. 201. Part IV of Title III of the Communications Act of 1934 is further amended by--

(1) inserting

"SUBPART A - GRANTS FOR FACILITIES"

immediately above the heading of section 390;

(2) striking out "part" and inserting in lieu thereof "subpart" in sections 390, 393, 395, and 396;

(3) redesignating section 397 as section 398, inserting it before such section 398, and redesignating section 394 as section 397 and inserting immediately above the heading thereof;

"SUBPART C - GENERAL"

(4) redesignating section 396 as section 394 and inserting it immediately after section 393;

(5) inserting after "broadcasting" the first time it appears in clause (2) of the section of such part IV redesignated herein as section 398", or over the Corporation or any of its grantees or contractors, or over the charter or by-laws of the Corporation,".

(6) inserting in the section of such part IV herein redesignated as section 397 the following new paragraphs;

"(6) The term 'Corporation' means the Corporation authorized to be established by subpart B of this part.

"(7) the term 'noncommercial educational broadcast station means a television or radio broadcast station, which' under the rules and regulations of the Federal Communications

Commission, is eligible to be licensed or is licensed by the Commission as a noncommercial educational radio or television broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association.

"(8) The term 'interconnection' means the use of microwave equipment, boosters, translators, repeaters, communication space satellites, or other apparatus or equipment for the transmission and distribution of television or radio programs to noncommercial educational television or radio broadcast stations."

(7) inserting after section 395 the following new subpart:

"SUBPART B - CORPORATION FOR PUBLIC TELEVISION

"Congressional Declaration of Policy

"Sec. 396. (a) The Congress hereby finds and declares--

"(1) That it is in the public interest to encourage the growth and development of noncommercial educational radio and television broadcasting, including the use of such media for instructional purposes.

"(2) That expansion and development of noncommercial educational radio and television broadcasting and of diversity of its programming depend on freedom, imagination, and initiative on both the local and national levels.

"(3) That the encouragement and support of noncommercial educational radio and television broadcasting, while matters of importance for private and local development, are also of appropriate and important concern to the Federal Government.

"(4) That it furthers the general welfare to encourage noncommercial educational radio and television broadcast programming which will be responsive to the interests of people both in particular localities and throughout the United States, and which will constitute an expression of diversity and excellence.

"(5) That it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make noncommercial educational radio and television service available to all the citizens of the United States.

"(6) That a private corporation should be created to facilitate the development of educational radio and television broadcasting and to afford maximum protection to such broadcasting from extraneous interference and control.

"Corporation Established

"(b) There is authorized to be established a nonprofit corporation, to be known as the 'Corporation for Public Television', which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this section, and, to the extent consistent with this section, to the District of Columbia Nonprofit Corporation Act.

"Board of Directors

"(c)(1) The Corporation shall have a Board of Directors (hereinafter in this section referred to as the 'Board'), consisting of 15 members appointed by the President, by and with the advice and consent of the Senate.

"(2) The members of the Board (A) shall be selected from among citizens of the United States (not regular full-time

employees of the United States) who are eminent in such fields as education, cultural and civic affairs, or the arts, including radio or television; (B) shall be selected so as to provide as nearly as practicable a broad representation of various regions of the country, various professions and occupations, and various kinds of talent and experience appropriate to the functions and responsibilities of the Corporation.

"(3) The members of the initial Board of Directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act.

"(4) The term of office of each member of the Board shall be 6 years; except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be elected for the remainder of such term; and (B) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment, 5 at the end of 2 years, 5 at the end of 4 years, and 5 at the end of 6 years. No member shall be eligible to serve in excess of 2 consecutive terms of 6 years each. Notwithstanding the preceding provisions of this paragraph, a member whose term has expired may serve until his successor has qualified.

"(5) Any vacancy in the Board shall not affect its power, but shall be filled in the manner in which the original appointments were made.

"Election of Chairman; Compensation

"(d)(1) The President shall designate one of the members first appointed to the Board as Chairman; thereafter the members of the Board shall annually elect one of their number as Chairman. The members of the Board shall also elect one or more of them as a vice-chairman or vice-chairmen.

(b) The members of the Board shall not, by reason of such membership, be deemed to be employees of the United States. They shall, while attending meetings of the Board or while engaged in duties relating to such meetings or in other activities of the Board pursuant to this subpart be entitled to receive compensation at the rate of $100 per day (or such other rate as may be determined by a vote of more than 2/3 of the full membership of the Board), including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized by law (5 U.S.C. P5703) for persons in the Government service employed intermittently.

"Officers and Employees

(e)(1) The Corporation shall have a president, and such other officers as may be named and appointed by the Board for terms and at rates of compensation fixed by the Board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation, other than the Chairman and any Vice-Chairman, may receive any salary or other compensation from any source other than the Corporation during the period of his employment by the Corporation. All officers shall serve at the pleasure of the Board.

"(2) No political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, and employees of the Corporation.

"Nonprofit and Nonpolitical Nature of the Corporation

"(f)(1) The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

"(2) No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee or any other individual except as salary or reasonable compensation for services.

"(3) The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

Purposes and Activities of the Corporation

"(g)(1) In order to achieve the objectives and to carry out the purposes of this subpart, as set out in subsection (a), the Corporation is authorized to--

"(A) Facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television or radio broadcast stations.

"(B) Assist in the establishment and development of a system of interconnection to be used for the distribution of educational television or radio programs so that all noncommercial educational television or radio broadcast stations that wish to may broadcast the programs at times chosen by the stations.

"(C) Assist in the establishment and development of one or more systems of noncommercial educational television or radio broadcast stations throughout the United States.

"(D) Carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum freedom of the noncommercial educational television or radio broadcast systems and local stations from interference with or control of program content or other activities.

"(2) Included in the activities of the Corporation authorized for accomplishment of the purposes set forth in subsection (a) of this section, are, among others not specifically named--

"(A) To obtain grants from and to make contracts with individuals and with private, State, and Federal agencies, organizations, and institutions.

"(B) To contract with or make grants to program production entities, individuals, and selected noncommercial educational broadcast stations for the production of, and otherwise to procure, educational television or radio programs for national or regional distribution to noncommercial educational broadcast stations.

"(C) To make payments to existing and new noncommercial educational broadcast stations to aid in financing local educational television or radio programming costs of such stations, particularly innovative approaches thereto, and other costs of operation of such stations.

"(D) To establish and maintain a library and archives of noncommercial educational television or radio programs and related materials and develop public awareness of and disseminate information about noncommercial educational television or radio broadcasting by various means, including the publication of a journal.

"(E) To arrange, by grant or contract with appropriate public or nonprofit private agencies, organizations, or institutions, for interconnection facilities suitable for distribution and transmission of educational television or radio to noncommercial educational broadcast stations.

"(F) To hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out the purposes of this section.

"(G) To encourage the creation of new noncommercial educational broadcast stations in order to enhance such service on a local, state, regional, and national basis.

"(H) Conduct (directly or through grants or contracts) research, demonstrations, or training in matters related to noncommercial educational television or radio broadcasting.

"(3) To carry out the foregoing purposes and engage in the foregoing activities, the Corporation shall have the usual powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, except that the Corporation may not own or operate any television or radio broadcast stations, system, or network, or interconnection or program production facility.

"Authorization for Free or Reduced Rate Interconnection Service

"(h) Nothing in the Communications Act of 1935, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering free or reduced rate communications interconnection services to grantees of or contractors with the Corporation and local noncommercial educational television or radio broadcast stations, subject to such rules and regulations as the Federal Communications Commission may prescribe.

"Report to Congress

"(i) The Corporation shall submit an annual report for the preceding fiscal year ending June 30 to the President for transmittal to the Congress on or before the 31st day of December of each year. The report shall include a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section and may include such recommendations as the Corporation deems appropriate.

"Right to Repeal, Alter, or Amend

"(j) The right to repeal, alter, or amend this section at any time is expressly reserved.

"Financing

"(k) There are authorized to be appropriated for expenses of the Corporation for the fiscal year ending June 30, 1968, the sum of $9,000,000, and for the next fiscal year such sums as may be necessary, to remain available until expended.

"(2) Notwithstanding the preceding provisions of this section, no grant or contract pursuant to this section may provide for payment from the appropriation for the fiscal year ending June 30, 1968, for any one project or to any one station of more than $250,000."

TITLE III--STUDY OF EDUCATIONAL AND INSTRUCTIONAL TELEVISION BROADCASTING

STUDY AUTHORIZED

Sec. 301. The Secretary of Health, Education, and Welfare is authorized to conduct, directly or by contract, and in consultation with other interested Federal agencies, a study of instructional television, including its relationship to educational television broadcasting and such other aspects thereof as may assist in determining whether Federal aid should be provided therefor and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used.

CONTENT OF STUDY

Sec. 302. Such study shall be comprehensive in nature and shall cover particularly such items as:

(1) the quality and content of existing programs and how they can be improved;

(2) the financial factors involved in use of instructional television in educational institutions;

(3) the relative advantages or disadvantages of using instructional television as compared with other media;

(4) the advantages and disadvantages of closed circuit television;

(5) the relationship between instructional and educational television; and

(6) new technology not now available, including flexible teacher-controlled scheduling of programs based on videotapes, discs, films, and other materials or devices.

DURATION OF STUDY

Sec. 303. The study authorized by this title shall be submitted to the President for transmittal to the Congress on or before January 1, 1969.

APPROPRIATION

Sec. 304. There are authorized to be appropriated for the study authorized by this title such sums, not exceeding $500,000, as may be necessary.

U.S. DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE

FACT SHEET: Educational Television

Background and Need

The concept of educational television and educational radio broadcasting has not met the promise forecast for it at the beginning of the television age. ETV has been chronically under financed; personnel shortages exist in both educational TV and educational radio; UHF-TV channels have developed rather slowly in an industry generally characterized by existing changes and rapid growth; and, finally, the function and quality of educational television itself and the range of the areas it covers vary widely from State to State.

The legislation authorizing support for Educational Television Broadcasting Facilities (Public Law 87-447) amended Title III of the Communications Act of 1934. This amendment provided grants for facilities and was designed to enable educational television to reach a broad range of people within each station's service area. With the assistance provided by the existing $32 million authorization, a total of 165 to 185 stations will be in operation or completing construction when the present term of the Act expires on June 30, 1967.

To allow minimum service of one ETV signal in all parts of the United States and two ETV signals in 40 major population centers, the Federal Communications Commission has reserved 632 channels for educational use. In authorizing the original legislation, Congress, in its Conference Report on Educational Television, called for "and adequate television system to serve the needs of all the people in the United States." To fulfill this task, the original legislation must be increased and additional incentives for continued growth and training of personnel should be enacted. In addition, some stimulus for program innovation is necessary to improve the whole concept of educational television.

In his State of the Union Message, President Johnson declared that educational television should be developed as a "vital national resource". The recently issued Carnegie Commission Report, Public Television: A Program for Action, recommended "new legislation to enable the Department of Health, Education, and Welfare to provide adequate facilities for stations now in existence, to assist in increasing the number of stations to achieve nationwide coverage, to help support the basic operations of all stations, and to enlarge the support of instructional television programming."

By December 31, 1966, a total of 124 public Educational Television Stations were operating in the United States, a sharp increase since 1956 when, ten years before, 21 stations were in operation. The Carnegie Commission Report said that the past decade has seen a system of educational television come into being that now includes nearly two-thirds of the population, a national program service, patches of interconnection, and a corps of dedicated men and women. The new legislation will build on this foundation.

Proposal

The Public Television Act of 1967 will amend the Communications Act of 1934 in several ways. Title I of the legislation will, first, extend and improve provisions for grants to construct educational television broadcasting facilities. Second, the legislation will add a new category for funding: noncommercial radio broadcasting facilities. Title I also authorizes an appropriation of $10.5 million for fiscal 1968 and such sums as may be necessary for the next four years to extend the existing grant program for construction of ETV facilities and to provide funds for noncommercial radio broadcasting facilities.

Under the proposed amendments, applicants must clear their proposals with State Educational Television or Radio agencies, if an agency exists in the applicant's state. The Federal share of grants shall not exceed 75 percent and no more than 15 percent of any grant funded may be used to acquire and install micro-wave equipment, boosters, translators, and repeaters which are used to connect two or more broadcasting stations.

Title II authorizes the establishment of a non-profit corporation to help develop public radio and television broadcasting and to protect public radio and broadcasting from extraneous interference and control. This non-profit corporation would be known as the Corporation for Public Television. The Board of Directors will consist of 15 members appointed by the President with the approval of the Senate.

The Corporation would have a variety of duties prescribed by the legislation based on the assumption that it is in the public interest to encourage the growth and development of non-commercial educational radio and television broadcasting.

Among other duties, the Corporation shall submit an annual report on its activities to the President for transmittal to Congress on or before December 30 each year on its activities.

Title III of the legislation would authorize $500,000 for a comprehensive study on the whole range of instructional television broadcasting, including its relationship to educational television. The Secretary of Health, Education, and Welfare could conduct the study directly or he could contract for this study.

DEMOCRATS

HARLEY O. STAGGERS (Chairman) Kenyon, West Virginia

Favorable to bill. Tends to ask a few standard questions immediately following witness' formal presentation: "Should Corporation make programs available to commercial stations"....."to foreign broadcast entities?" "Will a strong PTV Corp be a threat to commercial broadcasting?"

TORBERT MACDONALD (Chairman of Subcommittee on Communications and Power) Boston area - Mass.

Likely to query on almost any aspect of the debate, with special emphasis on future financing, threat of competition to commercial tv, nature of programming, ~~xxxxxxxxxxx~~differences between ~~of~~ Ford Foundation plan (which he sees as emphasising simultaneous networking) over Carnegie plan (~~w~~ith emphasis on local stations and distribution). Answers should be clear, simple and direct. Confuses easily. Does not understand how ETV works.

JOHN JARMAN Oklahoma City

Friendly. Has seldom been present ~~w~~ince first day or so. Questions have emphasized availability and desirability of private financing ~~in~~ in Corp's financial mix.

SAMUEL FRIEDEL Baltimore Md.

Seldom present after opening of session. Friendly. Has introduced companion bill to 6736 (identical). Has asked virtually no questions.

JOHN E. MOSS Sacramento, Calif.)

Has been out of country. Returned to Comm sessions for first time Tuesday 18th . Expected to be leader for the bill. Has great authority with committee members. His questions have as yet shown no real pattern, but they will be searching and pointed.

JOHN DINGELL Detroit area Mich

~~Seldom~~ present. ~~Favorable~~. only briefly.

PAUL RODGERS W. Palm Beach Florida

Conservative. Concerned about protection of smaller states with respect to receipt of fair share of funds. Also feels that grant ~~and~~ authority and networking authority ~~w~~hould be separate. Position on bill: questionable.

HORACE KORNEGAY N. C.

Most questions in areas of financing, and of nechanics of networking & distribution. Good questioner, understands terminology. Moderately friendly. Precise answers required.

(Democrats - cont.)

LIONEL VAN DEERLIN — Calif

Friendly. Definitely for bill. In Moss' absence, has been ~~xixxxxxxxhingxxxxxxxixxxdxxxfxxxxhxxhxiii~~ ad hoc leader for bill. Questions usually aimed at clarifying previous testimony or answers. Will be encouraging a favorable and positive reply.

J. J. PICKLE — (Texas)

Will probably vote the administration line for bill. Questions have worried the problem of undue influence over Corp. Has not done his homework, so questions are fuzzy to the point of obscurity. Confused as to who handles/funds - HEW or Corp?

FRED B. ROONEY — (Penn)

~~Hxxxxxxxxhxxwxdxxpxxxxxxxxxxxxxx~~ Has shown up only once or twice. Considered friendly.

JOHN M. MURPHY — Present briefly, no Q. — N. Y. C.

DAVID SATTERFIELD — Present briefly. Conservative. no Q. — Richmond Virgiania

DANIEL RONAN — not yet present. — Chgo Illinois

BROCK ADAMS — (Washington)

Definitely in favor. Very confused over how the mechanics would actually work. In explaining, remember he knows little of communications technology. Friendly and enthusiastic. Believed close to Chairman Staggers, although low in seniority on Committee.

RICHARD OTTINGER — New York — Scandale

Definitely in favor. Very concerned and dedicated to bill. Has been present at almost every session, very active in questioning. Reasonable knowledge of ETV and its workings; clear understanding of the bill.

RAY BLANTON — Tenn.

No ~~Few~~ questions. Supposed favorable.

W. S. STUCKEY — Georgia

Occasionally present. No questions yet. Supposed favorable.

PETER KYROS — Portland, Maine

Few questions. Supposed favorable.

REPUBLICANS:

WILLIAM SPRINGER — Illinois

Senior republican. Well prepared and articulate. Greatly concerned with make up of the Corp Board -- his has been the continuing campaign aimed at bi-partisan membership. Also concerned about unintentional editorializing by Corp. Enthusiastic about ETV, but not necessarily about bill.

SAMUEL DEVINE — Ohio

Follows Springer's lead. May questionx on Board makeup, commercial TV competition, future funding, any question regularly raised on the Republican side of the aisle.

ANCHER NELSEN — Minn

Reputed arch-conservative, but could be swayed. Seldom present, but concerned about standard questions: control, costs, type of programming.

HASTINGS KEITH — Mass.

Supposed unfriendly. Standard question areas, but is now emphasizing editorializing, makeup of board, and continuing costs. Is a seemingly-friendly, "trap" type questioner.

GLENN CUNNINGHAM — Neb

Introduced companion bill. No questions yet.

JAMES T. BROYHILL — N. C.

Not friendly. Standard Republican question line. Has said he will not support any bill giving monies to Corp for which it has no direct accountability.

JAMES HARVEY — Michigan

Has consistently queried about future financing sources for Corporation -- feels bill, without proposal for future income, is premature. Had been supposed moderately friendly, now questionable. Articulate and concerned, freuquently present.

TIM LEE CARTER — Kentucky

Generally supports the bill (outspokenly so in early days of hearing) but is principally interested in its instructional purposes.

XXXXXXXXXXXXXXX ROBERT G. WATKENS — XXXXX Penn.

Although stating he thinks bill is worlthwhile, in his only extended statement made an outspoken statement that this is not the time to pass it, with all the other demands on the Govt money.

ALBERT WATSON — S. C.

Has suggested giving money to State systems instead of creating Corporation which could become another government-created "monstrosoty". Very proud of South Carolina system; has been told, but doesn't realize, that SC is one of very few complete statewide systems.

(republican- cont.)

DONALD BROTZMAN — Colorado

Generally friendly. Few questions. Admires adtivities of KRMA

CLARENCE BROWN JR. — Ohio

Articulate and on the offensive, although willing to be convinced. Concerned about educational aspects of public television and little impressed with its attempt to raise ~~xix~~ cultural level. Main concern is with "what kinds of programming do you intend to produce with public corp moneies?" Fuzzy answers won't work. Knows the field, and demands straightforward, honest replies.

DAN KUYKENDALL — Tenn

Probably not unfriendly, but doubtful if he woudl defy party line if it came to that. (Pronounced ~~XKXXX~~ "Kirkendall" by the way.) With ref to editorializing, wonders if new ~~xx~~ regs by FCC, specifically aimed at regulating this aspect of ETV, are required.

A division of

EDUCATIONAL TELEVISION STATIONS

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

PHONE: 667-6000 • 1346 CONNECTICUT AVENUE • WASHINGTON, D. C. 20036

NOTES REGARDING S. 1160

Prepared by
C. Marquis and H. Riddleberger

Title I

Sec. 101. We applaud the 10 1/2 million new dollars and the extension of time for educational broadcasting. This is far short of the need but it is a good first step and we don't seek to expand it before this year. (References: ETS's survey of future dollar needs - now at about $20 million from 37 stations plus U. S. O. E.'s figures on existing applications which cannot be funded because of no dollars. Also reference ETS Model which must be attached and the comparison with the Carnegie Model as an attachment.)

Sec. 102. The 12 1/2% limit seems reasonable. We applaud this removal of an otherwise great restriction on expansion of ETV. We assume, of course, that the 12 1/2% is of those dollars requested for Title I only.

Sec. 103. We applaud the inclusion of educational radio. (Reference materials sent to UnderSecretary Wilbur Cohen in 1965 and to the Senate in 1966 in which ETS went on record recommending that radio be included.)

Sec. 104. This changes the matching formula to 75/25 across the board with no credit for equipment but no limit on interconnection. We support. (This is consistent with our recommendations of 1965 and 1966 where we noted that the matching formula had successfully generated many local dollars for each federal dollar spent.)

Sec. 105. We approve the inclusion of the territories.

Sec. 106. Adds planning dollars for the acquisition of equipment. This inherently limits the planning to those applying for facilities. It may well be that we should seek to allow planning for agencies other than the ultimate owners of the facilities, such as State ETV Authorities which themselves would not be the licensees but might do the initial planning. We might also want to consider whether there should be a limit on the planning dollars such that $200,000 could go for planning for $50,000 of equipment. We might also want to recommend that prospective licensees be parties to the planning.

In general we must support the success of the ETV Facilities Act which Title I is the extension of. This must be done in audience comparisons (Bystrom may be analyzing as well), on expanded instructional uses (NCSCT-Cohen paper), and

a summary of the total number of new stations and numbers of expansions that have come about as a function of the ETV Facilities Act.

We must have specific examples of the local accomplishments in human terms of the new local stations and the expanded facilities of the previously existing stations. This would mean, for example, reference to the accomplishments of the second stations in Chicago, Pittsburgh, and Minneapolis and the accomplishments of such new stations in the last five years as Los Angeles, Cleveland, San Jose, Topeka, Syracuse, Rochester and Honolulu, all of which came about absolutely as a result of the ETV Facilities Act.

Title II

We, of course, generally approve of the establishment of a nonprofit educational broadcasting corporation. Moving to Subpart B on the Corporation, assuming that all other details are routine, we, of course, applaud Sections396 (a) (1), (2) and (3). In (4) we should take the opportunity to accent the "responsive to the interests of people". This is a valuable emphasis in our behalf.

Sec. 396(5).

We certainly want to support the belief that it is necessary and appropriate for the federal government to engage in this activity.

Sec. 396(6).

That a private corporation is logical as a result.

Reference in these points to the ETS 1964 Conference, the establishment of the Carnegie Commission, the Carnegie Report and the general mandates from the 1967 conference.

Sec. 396(b).

We agree that such a corporation should not be a government agency.

Sec. 396(c)(2).

Appears to have a typographical error in that we want to include candidates as members of the Board who are eminent in such fields as education, cultural affairs, civic affairs, and the arts, radio and television; this language seems much better to us and we propose it.

We also, of course, should recognize that we must count on the wisdom of the President and the Senate and that c(1) and c(2) must be taken together in this respect.

Sec. 396(d)(1).

We note that this title allows the Board members, including the Chairman and the Vice Chairman to be full time government employees. We think this is not right and would propose at least a limit of three or perhaps a ban on any government employee as Board members.

Sec. 396(e)(1).

Seems entirely too restricting insofar as "other compensation" which would deny some very distinguished officers of the corporation such things as royalties and consultation fees. A strong conflict of interest clause ought to be used but it should not go so far as to deny all other forms of compensation. We note in this Section also that the officers of the Corporation serve at the pleasure of the Board whereas good administrative procedure calls for the officers to serve at the pleasure of the President and the President, of course, serves at the pleasure of the Board. (Reference: the Carnegie Report, it shows 6 executives as officers of the Board and here they plus the Chairman and the Vice Chairman would serve under Board appointment rather than presidential appointment. We don't agree.)

Sec. 396(e)(2)

Seems ordinary but we should take the opportunity to endorse this in strong language - that no political test or qualification shall be used, etc. We should make similar emphasis on (f)(3).

"Purposes and Activities of the Corporation"

Sec. 396(g)(1).

We of course endorse.

Sec. 396(1)(B).

Raises a major question regarding exclusivity arrangements held by NET. The paragraph presumably would allow interconnection systems to go to all educational TV and Radio stations as distinct from the fact that NET demands exclusivity in each area at this point. We can support the bill's position, ignore it, or seek a modification in it which would allow the systems themselves to determine those who may be able to receive their programs. We also note that it speaks of a system where subsequent paragraphs speak of one or more systems. We think that it's important to insert "one or more systems" in line 13 of B to make this consistent with the other language in the bill as well as previous statements by ETS.

Sec. 296(C).

Is more permissive than B. C deals with station systems rather than interconnection systems. NET at present generally exists as a system of stations and again the exclusivity point must be raised. NET could be exclusive in the distribution of tape under (C) but could not be exclusive under the interconnection systems approvable under (B). Again we think they must be consistent to begin with and second we must face how we feel about this in policy terms.

Sec. 396(D).

It's been suggested that other words be added to clarify "or other activities". Such additional words might be "including such as distribution use or selection of programs".

Sec. 396(2)(A).

If we carry out the recommendations of our stations we mean to see that the Corporation is "nonoperational". This means, in our opinion, deletion of the word "contracts" in all subsequent places in this Title, including (a) (b) and (e).

Sec. 396(B).

Again the word "systems" should be added to make (B) parallel with (B) on the previous page.

Sec. 396(C).

We believe (C) includes equipment necessary for the production of programs by stations as well as for the operation of those stations. (Carnegie appears to be quite specific on this in its report. We may also want to put in our definition of the usual distinction between operation of a station and specific program production.)

Sec. 396(D).

We would take the Corporation out of the operational aspect here by inserting "to establish and maintain by means of grants a library, etc." We also note that library must be made plural because more than one already exists.

Sec. 396(E).

Besides deleting contract, we would want to be sure that stations and systems can lease facilities from such organizations as AT&T and that therefore these words should be deleted: "public or nonprofit private" thereby leaving the door open to any agency from whom we wish to lease equipment. In the same paragraph in order that such facilities be used additionally for closed circuit or data or other purposes as a subordinate activity after they have served their function of interconnection for radio or TV broadcasting we would add the words " suitable for the purpose of but not limited to distribution and transmission", etc.

Sec. 396(F).

Appears fine.

Sec. 396(G).

Seems to duplicate the entire Title I of the Act and appears therefore to be redundant to us. If it is dealing with planning, we've already spoken to planning in Title I. We are opposed to duplicate passages in various titles because they would appear to add great possibility for confusion in the Act's administration. Therefore, we question the entire (G) paragraph unless it is so severely limited that it is dealing with public relations or meetings, etc. as pre-planning activities in selected communities.

Sec. 396(H).

We would again make non-operational by saying "to foster through grants

research," etc.

Sec. 396(3).

Seems acceptable, although there is a typographical error on page 17, line 1 "or network or interconnection . . ."

Sec. 396(h).

We certainly agree and should cite our FCC satellite testimony points in support.

Sec. 396(k)(1).

We must cite as a good first step. (With due caution we may want to refer to the Carnegie and ETS Models in their future projections.)

Sec. 396 (2).

Raises several questions. We assume first that "appropriation" refers only to Title II's $9 million appropriation. However, can we assume that the limit on grants spoken to and again deleting contract, refers only to the federal appropriation of $9 million? The question then is, what about any limit on a grant, for example, from CBS of $1 million? Is it limited in any way? We believe it should be although the suggestion is added perhaps that we should accept interconnection in this because interconnection is so vastly more expensive. We feel also that the word "station" in line 11, is an oversight and should be changed to "applicant" to make it parallel with the language of (B) on page 15 which allows for many other applicants than just stations.

Title III.

We made no detailed analysis of these points assuming that Lew Rhodes would. But we make these major notes:

1. We must recognize the body of research already done primarily by USOE with a large help from the Ford Foundation over the last decade to almost the entire list of suggested topics. To approve this title in its present form with these present list of topics would be to say that $10 million of federal money and probably that much in Ford Foundation money has gone virtually to no purpose. I think that would be an undeserved slap at USOE and Ford Foundation. We must make it clear that the only research which should be done should be directed to new goals and new purposes not otherwise done and that they could put their money to at least one good purpose would be to collate all previous existing research which we don't believe has ever been done. As a matter of fact we've had a terrible time getting lists from the Office of Education of even the wording of the Titles of various previous studies they have already funded.

2. We must recognize that there is some significant good instructional TV now going on which should be supported in its action phases and not merely studied. At least a token effort ought to be funded from this title

for this purpose.

3. Our stations, of course, feel strongly that the Carnegie Commission approach ought to be applied to instruction and that it ought to be done right away. (Reference: Jorgensen, Satellite filing.)

We must now look to those exhibits and arguments which would most strengthen those conclusions at which we must arrive from the number of conflicting previous points. We must then determine which witnesses will carry the burden of which testimony and be available for questioning under which major sections of this overall approach. Only then would we be able to make intelligent arrangements of our witnesses and testimonies. We must also assume for the most part the points that we make will be made by nobody else except in the most general terms. We further must recognize that not all of us in the various components of educational broadcasting will agree as organizations or as individuals. We already have heard that William Henry may disagree with us on the method of selection of members of the Board of the Corporation although I'm not sure he knows what we recommend, nevertheless we must assume that he will have to feel free to disagree.

In any event, we must make every effort to come up with an absolutely consistent overall NAEB agreement on all of the preceding arguments and interpretations. If this is not possible we must speak to them with precisions or otherwise.

Memo to: NAEB Executive Committee

Re: Witness Report

From: Chalmers H. Marquis

Committee Characteristics: (Total Committee: 31)

Republicans - (14 on Committee)
Businessmen - (13 on Committee)
Lawyers - (14 on Committee)
East of Mississippi - (23 on Committee)
Poorly informed re Public Broadcasting Act - (31 on Committee!)

Conclusion:

Stories must be diverse, simple, and show direct gain to various component audiences of communities and regions. Speakers must be brief, direct, and speak from clear leadership roles in their communities. We hope we can have some witnesses from Districts of committee members. If no committee member is related to a witness, we should have witness's Representative introduce him. If this is not possible, we should include a statement from that Representative. And we hope to have several governors who can themselves testify.

General Plan:

NAEB will not appear by its own internal Divisions, but rather by broad subject area related to bill: TV, with instruction, and radio, with instruction. NAEB President Harley and Counsel Jorgensen should probably be present throughout. Each witness should support bill in general, refering to "NAEB position." Each witness should speak further to specific of bill re his subject or georgraphic area. Essentially, NAEB must take position that it speaks more broadly to bill than any other single organization. We must make full case, albeit augmented by others we know likely to testify from their own specific point of view. Ours is the total definitive "educational broadcasting" position on an educational broadcasting bill. Others can individually strengthen their own particular sub-category of the total field. We must assert this, and stick to it!

Of course where witnesses representing others concur with our position, we should say so loud and clear.

Proposed Witnesses	Responsibility	Committee relationship	Title
ETV - with Instruction (Harley introduce Robert Schenkkan)	Overall position esp. re govt. control, relations re formal educ. Facilities Act.	Jack Pickel (D.) (should introduce)	Community station; U-Texas; U. Va, N. Carolina, New York, NAEB Vice Chairman, ETS former Chairman, has radio, TV, CCTV Consultant
Hartford Gunn	Present Lowell statement Mass., plan, comm'l bc.	MacDonald, O Keith (R.) (and MacCormack)	EEN, ETS, Board Member
C. Scott Fletcher	Historical, citizen Board member, foundation on exec. re $ for ETV	Paul Rogers (D) Claude Pepper or Dante Facell introduce	ETS, NAEB, WTHS, Carnegie, Ford
Devereux Josephs	Citizen Bd. Member, businessman, concerned with financing ETV and govt. control	Murphy, NYC, and Ottinger, NYC (suburbs)	WNDT, New York, Life, Nat. Citzens Committee
E. William Henry	Government Control	Blanton (D) Tenn., & Kuykendall (R.) Tenn.	FCC, NAEB. Nat. Cit. Comm.
Newton N. Minow	Local business $ inter-relationship with NETs, citizen bd. member, Fax Act.	Ronan, (D) Chicago, Springer (R) Illinois	WTTW, NET, Ill. Gov's Comm. Nat. Cit. Comm.
George Bair (Macandrew)	Instruction, nets, formal educ. educ. for business, no problem re gov't $ S. Reg. Net?	Watson, S. C. (R)	NAEB, HEW article, etc.
~~Les Greenhill~~ Mark Shedd	need for III, state net system re inst. & MPITI	Watkens, Chester (R) Pa., Rooney, (D) Pa.	Penn. State, etc.
(Harry Brawley to radio) (Jorgensen present) Carmichael	Council bc. poor state needs, State plan, gov't control	Staggers, W. Va (D)	Director, Educ. Broadcasting Commission of W. Va.

Proposed Witnesses	Responsibility	Committee relationship	Title
Radio, with Instruction (Harley introduce)			
Edwin Burrows	Overall position, esp. re need for Facilities Act, statewide service, and re comm'l bc.	Dingell, Mich. (D) Harvey, Mich. (R)	NAEB WUOM
Jerrold Sandler	NER network needs, "Hidden Medium"	Friedel, Md. (D) ex- Ottinger, N. Y. and Murphy, N. Y.	NER, Navy, WNYC

Witnesses	Function	Committee Relationship	Representing
Gov. Docking Willard Shadel	Comm'l bc. Univ., training needs, news needs	Adams, Wash. (D)	
with Lesley Paffrath Harrington	Private Foundation $, broad radio needs	-0-	Johnson Foundation, etc.
Dr. Frank Woolsey	spec. uses of radio, for prof. educ.	Dr. Tim Lee Carter, M. D., (R) Ky.	Albany Medical College
Russell Jalbert	Radio re higher education & adult education, Title III	MacDonald (D) MacCormack (D)	Boston University
Dr. John Letson Harvey Brawley Floyd Christian	radio re school inst. esp. re underprivileged, & Title III	-0-	Supt. Atlanta Schools W. Va. Fla.

Other possibilities:

Chas. McIntyre	NPITI, inst. re III	Springer, (R) Ill.	University of Illinois
Richard Hull	Radio, TV	Brown, (R) Ohio Devine, (R) Ohio	Ohio State University
Jack McBride	TV, many state plans	Cunningham, (R) Neb.	Neb. ETV net., U. Neb.
Weaver	State TV and radio	Broyhill, N. C. (R) Kornegay, N. C. (D)	University of N. C.
Wayne Bundy	Rocky Mountain Network	Brotzman (R) Colo.	Univ. of N. M., Albuquerque schools
John Crabbe	California - Moss' District		Head of Calif. ETV Comm.

Governors likely:
Colorado, New Hampshire, New York, Maryland

Other witnesses likely:

Carnegie Commission:

Killian - MIT - Mass. Reps.

Sanford - North Carolina - could carry N. C. delegation

Henry - Need badly to carry Springer of Illinois

Kellam - Could obviate need for Schenkkan re Texas, and rep. comm'l bc.

Woodcock - need badly to rep. labor, neutralize Dingell

DuBridge - higher education, rep. Calif. re Moss, VanDeerlin, Younger, Nat. Cit. Comm.

Land - rep. genius, and big business....

Ford Foundation

Bundy - unlikely now, leaves Friendly, maybe their attorney (Goldberg?)

Commercial Broadcasting

NETs, NAB, Westinghouse, etc. - need others may, e.g. Quinlan (UHF)

Labor

Need AFL-CIO, Communications Workers, plus Auto Workers via Woodcock above, AFM

Civic Groups

PTA - National Citizens Committee (Hoving), Nat. Council Churches, League Women Voters, Bus. and Prof. Women, National Fed. Women's Clubs

Industry Groups

usual, AT&T, IT&T, Wu, EIA, NCTA

Other Educational Broadcasters:

NET-
Collins, WNED, Buffalo, New York
Porter, Rochester, New York
Kiermaier? EEN
Central ETV Network
Rocky Mountain ETV Network
Hurlbert, Alabama
Schupbach, National Great Plains ETV Lib.
JCET

Miscellaneous

NEA, ACE?

Sandler

PUBLIC TELEVISION ACT
ANTICIPATED VOTE AS OF JUNE 9, 1967

The following are presumed to be in favor:

Arizona, Mesa	Rhodes, John J.	(R)
California, Fresno	Sisk, B. F.	(D)
Florida, Miami	Pepper, Claude D.	(D)
Hawaii, Waipahu	Mink, Patsy T.	(D)
Iowa, Altoona	Smith, Neal	(D)
Maine, Auburn	Hathaway, William D.	(D)
Maryland, Baltimore	Garmatz, Edward A.	(D)
Maryland, Bethesda	Gude, Gilbert	(R)
Maryland, Frederick	Mathias, Charles McC.	(R)
Maryland, Hyattsville	Machen, Hervey G.	(D)
Massachusetts, Lowell	Morse, F. Bradford	(R)
Nebraska, Fairbury	Denney, Robert V.	(R)
New Jersey, Bayonne	Gallagher, Cornelius E.	(D)
New Jersey, Paterson	Joelson, Charles S.	(D)
New Mexico, Santa Fe	Walker, E. S. Johnny	(D)
New Mexico, Tucumcari	Morris, Thomas G.	(D)
New York, Buffalo	McCarthy, Richard D.	(D)
New York, Oswego	Robison, Howard W.	(R)
North Dakota, Bismarck	Kleppe, Thomas S.	(R)
Utah, Ogden	Burton, Laurence J.	(R)
Vermont, Rutland	Stafford, Robert T.	(R)
Virginia, Strasburg	Marsh, John O.	(D)
Washington, Everett	Meeds, Lloyd	(D)
Wisconsin, Marshfield	Laird, Melvin R.	(R)
Wisconsin, Mercer	O'Konski, Alvin E.	(R)
Wisconsin, Milwaukee	Jablocki, Clement J.	(D)
Wisconsin, Milwaukee	Reuss, Henry S.	(D)
Wisconsin, Oshkosh	Steiger, William A.	(R)
Wisconsin, Watertown	Kastenmaier, Robert W.	(D)
Wyoming, Sheridan	Harrison, William H.	(R)

The following are known to be against:

Arizona, Prescott	Steiger, Sam	(R)
Idaho, Payette	McClure, James A.	(R)
Kentucky, Jeffersontown	Snyder, Marion Gene	(R)

Denver Post.....6-21-67

Passage of Broadcast Bill Needed

THE Public Broadcasting Act of 1967 has been called by Sen. John O. Pastore, D-R.I., as "one of the most important bills to be considered in Congress this year."

Pastore's description is no rhetorical exaggeration; it is accurate.

In our view, the measure—aimed at the revitalization and expansion of public television and radio—could have as significant impact on adult education as the Land Grant Act of 1862.

The administration-backed bill thus far has been approved by the Senate with commendable dispatch and enthusiasm, and has been sent to the House of Representatives for study and action. In addition to providing matching funds to states for more educational broadcasting facilities, the measure would establish a nonprofit corporation to oversee a vastly-enlarged educational TV and radio system.

In the first year, this corporation would have only a $9 million budget. However, we see this initial public investment as "seed money" to get the project under way. Ultimately several hundred million dollars—from private as well as public sources—will be needed annually to finance a first-rate educational TV and radio network.

While organized opposition to the broadcasting measure has not developed, there are indications that the bill may encounter difficulties in the House.

SOME congressmen have openly expressed concern that federally-supported ETV might provide the government with a propaganda outlet. It seems to us that the bill provides adequate protection on this score by stipulating that the governing corporation be completely independent.

Another charge being put forth is that an expanded ETV network might compete unfairly with commercial TV. On this point, the measure clearly favors the development of high-quality noncommercial TV and radio broadcasts that complement, rather than compete with, commercial programs.

We hope the House will give the broadcast bill the same solid support that the Senate has provided it.

SAS CITY STAR, WEDNESDAY, JUNE 21, 1967

Predicts Rise in School Radio

A state-wide educational FM radio network may be a reality in as little as five years, Peter Sevareid, University of Missouri counsel before the Federal Communications commission, said here last night.

He also said he believed there will soon be many educational FM networks acrss the nation.

Peter Sevareid

Sevareid, son of the CBS commentator, Eric Sevareid, was here to attend the organizational meeting of the Missouri Association of Educational Broadcasters at the University of Missouri at Kansas City. The association is seeking to establish a state-wide network service.

Sees Wide Benefit

In an interview, Sevareid said there are no limits to the benefits such a network may bring.

"It would not only help the college student but the other groups as well," he said. "In one-newspaper cities such as Kansas City, the network would provide another voice in the community.

"The network may not be a magic solution for uplifting the masses, but it would be a blessing for the few who would care to listen."

Those few would be able to enjoy symphony concerts, readings from poetry and prose, and stimulating lectures and discussions they would otherwise miss, he said.

To make this dream come true, Sevareid said, the U. S. House of Representatives have to pass a bill already approved by the Senate allocating more than 10 million dollars for the development of both educational radio and television. He said chances were good the bill would be passed.

To Freeze Awards

Because there is a limited number of available channels, Sevareid said, the FCC will freeze all new channels within six months pending [illegible]

the members of the Missouri association must get licenses to operate within six months. Otherwise they may have to wait a year."

Sevareid pointed out that educational radio has been practically ignored over the years while millions of dollars have been poured into educational television.

"This is despite the fact radio is cheaper to run," he said. "A small FM station would cost less than $20,000. Radio is also cheaper to run than television; two or three persons may be enough."

He said that if the bill for education broadcasting is passed by the House, the federal government would provide 75 per cent of the funds needed for construction.

For Small Sum

"In other words," he said, "a $20,000 FM station would cost only $5,000 to build. And almost any university can afford $5,000."

He said there would be no threat of government pressure or control because the bill would create a Corporation for Public Broadcasting, a totally independent agency as far as expenditure of funds was concerned.

Sevareid went last night to Central Missouri State college in Warrensburg, where he will confer with school officials planning to expand their FM radio station. He lives in Washington and is an attorney.

THE FLORIDA STATE UNIVERSITY

TALLAHASSEE 32306

UNIVERSITY BROADCASTING SERVICES

RECEIVED
JUN
26
1967
NATL EDUCATIONAL RADIO

June 22, 1967

Mr. Jerrold Sandler
Executive Director
National Educational Radio
1346 Connecticut Avenue, N.W.
Washington, D.C.

Dear Jerry:

Here is some of the recent correspondence on the Broadcasting Act. Note particularly Claude Pepper's statement to the House, the headline of which is admirable. Someone has apparently squelched his enthusiasm for radio which we should perhaps revive.

One of my reasons for calling last week was to tell you that I'm not trying to pull a "Doddism". When I left the Kenwood Club I intended to pay my bill by check since, as I told you, my expenses were being covered here. But the clerk made me feel so bourgeois not just charging it I said, why not? As soon as my reimbursement comes I'll send you a check.

The Floyd Christian testimony is coming slowly. I hope to have something to read to you after this weekend.

Peace!

Sincerely,

Marjorie

Marjorie Newman

MN/je

National Educational Radio
A DIVISION OF THE NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS
1346 Connecticut Avenue N.W. Washington D.C. 20036 Telephone 667-6000

EXECUTIVE DIRECTOR
JERROLD SANDLER

June 30, 1967

MEMORANDUM

TO: NER Witnesses

FROM: Jerrold Sandler

Enclosed is a copy of the Notice of Public hearings before the House Interstate and Foreign Commerce Committee.

The NAEB team of witnesses is scheduled to appear on Wednesday July 19 (Normally the Committee meets from 10:00 a.m. to 12:00 noon, but it's always possible that this will run over into the afternoon. It is also possible that this may have to run over into the following day.)

Please confirm the above logistics with this office as soon as possible. For those witnesses who prepared statements for the Senate hearings, it is anticipated that we may be able to adapt them for the House appearance.

In any event, we will need all final drafts in our hands by July 12 in order to meet the Committee's deadline of advance copies five days prior to your appearance, i.e., July 14. If this causes any severe hardships, please let us know immediately.

As soon as the total witness list is confirmed, we will send it along for your information.

JS:lkl
cc: NER Board of Directors

NINETIETH CONGRESS

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W. E. WILLIAMSON, CLERK

Congress of the United States
House of Representatives
Committee on Interstate and Foreign Commerce
Room 2125, Rayburn House Office Building
Washington, D.C. 20515

June 27, 1967

NOTICE OF PUBLIC HEARINGS

There will be PUBLIC HEARINGS by the full Committee on Interstate and Foreign Commerce promptly at 10:00 A.M., beginning TUESDAY, JULY 11, 1967, in Room 2123, RAYBURN BUILDING, on

H.R. 6736 (Staggers, W. Va.), H.R. 6845 (Pepper, Fla.), H.R. 7670 (Macdonald, Mass.), H.R. 7746 (Friedel, Md.), H.R. 7748 (Garmatz, Md.), H.R. 8402 (Hilberg, Pa.), S. 1160, H.R. 10290 (McCarthy, N.Y.), H.R. 10408 (Moorhead, Pa.) -

To amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes.

H.R. 4140 (Robison, N.Y.), H.R. 6042 (Pepper, Fla.), H.R. 6783 (Cunningham, Neb.), H.R. 7026 (Button, N.Y.) -

To amend the Communications Act of 1934 to extend and enlarge the program of grants for educational television broadcasting facilities.

It is requested that each witness file five (5) days in advance with the Committee Clerk five (5) written copies of his statement, and furnish at least seventy-five (75) additional copies at the time of his appearance, for the use of the Committee and the press.

Please advise whom you represent, if you wish to appear as a witness, or file a statement for the record, and, if so, whether you are for or against the proposed legislation, and, if you desire to testify, the amount of time required.

By direction of the Chairman.

W. E. Williamson, Clerk

LISTER HILL, ALA., CHAIRMAN
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JOHN S. FORSYTHE, GENERAL COUNSEL

United States Senate

COMMITTEE ON
LABOR AND PUBLIC WELFARE

RECEIVED
21
1967
NAT'L EDUCATIONAL RADIO

June 12, 1967

Mr. Albert P. Fredette
Manager and Coordinator
of Communications
The Albany Medical College of
Union University
WAMC
Albany 8, New York

Dear Mr. Fredette:

I regret that I have not been able to be in touch with you sooner. The Senator has asked me to thank you for your letter and also to mention that although we received a letter from Lucinda K. Landreth of Mr. Sandler's office, we either did not receive or have misfiled the information which he had hoped to place in the Congressional Record. I would therefore appreciate very much your sending me a duplicate set of materials.

Again, my apologies and my thanks.

Sincerely,

James H. Grossman
Legislative Assistant to
Senator Jacob K. Javits

JHG:em

XERO COPY XERO COPY XERO COPY XERO COPY

cc: Mr. Sandler

THE JOHNSON FOUNDATION
IN RACINE, WISCONSIN

OFFICE OF THE PRESIDENT

June 19, 1967

The Honorable John O. Pastore
U. S. Senate
Senate Office Building
Washington, D. C.

Dear Senator Pastore:

I have intended to write to you since April 14th, when I appeared at the invitation of the Subcommittee on Communications of the Committee on Commerce for the hearings of the Public Television Act of 1967.

The occasion was an experience I have not had heretofore and I concluded it with a feeling of genuine confidence in the desire of the Committee to learn and assess in order to act in the public interest.

I remain grateful for your courtesy and good chairmanship that day.

Respectfully yours,

Leslie Paffrath

LP/ms

STATE COLLEGE OF ARKANSAS
CONWAY

June 27, 1967

National Educational Radio
1346 Connecticut Avenue, N. W.
Washington, D. C. 20036

Dear Sirs:

Enclosed is an article which has appeared in a recent area newspaper.

May I say congratulations for the report on "The Hidden Medium." It certainly has helped us in preparing budget requests and in talking to various local groups regarding educational radio.

How might we learn more specific information on the congressional bill to support radio and television? When will the money become available? Will there be money for research? I would appreciate any data which you have available.

Keep up the good work on our behalf. We appreciate it.

Sincerely yours,

Don Garnett

Don Garnett
Faculty Advisor
KASC

DG/kk

JS

June 30, 1967

MEMORANDUM

To: Executive Staff

From: Chuck Marquis

Here's W. E. Williamson's (now confirmed: he's from Magnolia, Arknasas - would you believe!!) latest witness schedule:

Tuesday, July, 11	HEW
Wednesday, July 12	Carnegie
Thursday, July 13	FCC (Tom Hoving - National Citizens Committee Chairman trying for this date.)
Friday, July 14	CBS' Frank Stanton
Monday, July 17	NET - Jack White
Tuesday, July 18	Ford Foundation - now presumably Bundy and Friendly
Wednesday, July 19	NAEB
Thursday, July 20	Miscellaneous - I have no names
Friday, July 21	Miscellaneous - I have no names

Other additional days possible. We still assume 10:00 a.m., with possible 12 noon end, although afternoons still very possible, as well as spill-over into lunch hour and into next day.

CHM/bb

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

1346 CONNECTICUT AVENUE · WASHINGTON, D. C. 20036

PUBLIC TELEVISION ACT OF 1967
July 18, 1967

Editorializing by ETV stations, political alignment of directors on the Corporation board, and the need for the public television station in the nation's capital (WETA) to be on the VHF band were main topics in House hearings today on the Public Television Act.

Ford Foundation representatives --President McGeorge Bundy, Consultant, Fred W. Friendly and counsel David Ginsburg -- were major witnesses at the morning session.

Congressmen on both sides of the aisle questioned Mr. Bundy on his attitude towards ETV stations editorializing on the air. He replied that "what looks to one person as fair comment may seem to a politician as a brutal attack." There must be a sense of fairness and responsibility when reporting the news, he said.

Congressman John E. Moss (D. -Calif.) retorted it is "difficult" to separate "fair" commentary from editorializing. "Right of reply" is one way to deal with the problem, the Ford Foundation executive explained.

Committee minority leader William Springer (R. -Ill.) pressed Mr. Bundy farther and asked "Are you going to say there will be no editorializing?" In answer, Mr. Bundy said there is difficulty in exactly defining the word, though he feels station management will assume broad responsibilities in news and public affairs and present all sides of issues. Mr. Friendly noted there is a difference between straight news and interpretive reporting, and, "journalists must draw a line." "Before you get any funds next year, you better have some conclusions" to this question, said Representative Springer.

As to political qualification for membership on the Commission, Mr. Bundy said "I. . .believe that it would be unwise." He described membership on the Board as having the responsibility "to insure the editorial integrity and professional competence of those to whom they entrust funds for programming, but there should be no implication that any member of the Board is appointed for the purpose of watching over the special interests of one political party or another. And it would also seem to me unwise to limit membership in this Board to those who are clearly assignable to one or the other of the great parties." The general requirement of senatorial confirmation will assure insulation, he said.

Mr. Bundy addressed himself to the Ford Foundation proposal of a domestic satellite service. "I do wish to reaffirm our conviction that there is great promise

in the satellite for public broadcasting, for instructional broadcasting, and for commercial broadcasting as well. . . the power and economy of satellites can open the way to a wholly new level of diversity and quality in the distribution of programs. . ."

Representative Paul G. Rodgers (D. -Fla.) said to pass effective legislation, the Committee must look more than one year ahead as to the costs of funding the Corporation. He asked Mr. Bundy if he had specific cost suggestions. He replied, "it is best to proceed along the lines of the present bill." His observation is that by next year the Board will have had a chance to study future needs and a "closer look" can be made at that time. Mr. Donald Brotzman (R. -Ohio) said "I'm not voting for a one year thing."

Mr. Friendly, in his testimony, stated: ". . . it is clear from the tone and penetration of your questioning that if you decide to vote for this bill, you mean to do so with the understanding that you are granting a birthright with all the commitment and responsibilities involved and not just a temporary permit for token public television."

He added: "What this bill can do is to stretch television and radio to provide enough air time, provide an electronic preserve . . .to pursue excellence." "Public television won't be confined to journalism alone; it is an instrument for culture and entertainment as well as for instruction and education."

Congressman Albert Watson (R. -S.C.) wanted to know why it wouldn't be "proper and more economical" to support local ETV systems rather than to legislate another Federal "monstrosity." He asserted that South Carolina "has one of the pioneer systems," in educational television.

The Governor of Utah, Calvin L. Rampton, testified on behalf of his state and the Federation of Rocky Mountain States. He endorsed the legislation before the House Committee and stated:

"We feel that the educational television now present in this region has contributed to the refinement and education of the public as well as our educational learning process. We believe that through the use of television mediam described by the Public Broadcasting Act of 1967, we will move forward to national and international television which will broaden the knowledge and understanding of our people, and thus contribute significantly to a stronger foundation for a productive and peaceful society."

William R. Smith, director of the Mississippi Authority for Educational Television, told the Committee that the bill, if passed, could assist in improving the educational, economic cultural and social conditions in that state which he described as severe. He said that after a sweeping study of the state's total educational needs, one recommendation was the establishment of a state-wide color ETV network which will be partially operable by January, 1969. He said that ETV offers

us an opportunity to spark a deprived people to arouse curiosity and creativity, to provide an escape from along heritage of poverty which stems from a large percentage of people who do not possess the skills and education to function effectively in a sophisticated society." He told the Committee that some 466,000 Mississipians would be reached by ETV in its original 70-mile contour area. Representative Dan Kuykendall (R. -Tenn.) inquired whether or not in the opinion of the witness the FCC should develop a new set of rules for ETV in such areas as editorializing and equal time. Mr. Smith replied that such a question "bears further study."

Concluding testimony for the day was presented by Howard Cromwell, superintendent of schools, Middletown, Ohio, who spoke on behalf of the Midwest Program on Airborne Television Instruction. He described the workings of an airborne instructional television system and urged that references in the bill to possible means of interconnection include the airborne system which he said is "a remarkably economical way to disseminate materials instantaneously and simultaneously to a whole region."

Representative Torbert Macdonald (D. -Mass.) felt that the language of the bill in reference to instructional TV adequately covered the MPATI sphere of operation but since the witness showed concern on this point Representative Macdonald suggested he "submit to the Committee in writing specific language which you feel will satisfy your situation."

FLOYD T. CHRISTIAN
SUPERINTENDENT

STATE OF FLORIDA
DEPARTMENT OF EDUCATION
TALLAHASSEE 32304

RECEIVED
JUL 20 1967
NAT'L EDUCATIONAL

July 12, 1967

Dr. Edgar Fuller, Executive Secretary
Council of Chief State School Officers
1201 - 16th Street, N. W.
Washington, D. C. 20036

Dear Ed:

The House Committee on Interstate and Foreign Commerce has scheduled a public hearing on the Public Broadcasting Act of 1967 for Tuesday, July 18. Our office has been very interested in this Act, especially as it affects adding radio.

I have enclosed a statement here that I hope you would present to the Committee to be read into the record so that they will know how the State of Florida feels as it pertains to the Public Broadcasting Act. Congressman Claude Pepper is familiar with our position on this and has helped us with the bill.

The NAEB has received 75 copies of this and has agreed to make them available to the Committee. I would appreciate your helping me to see that this is properly presented and read into the record.

Sincerely,

Floyd T. Christian

pjo
enclosures

cc: Miss Marjorie Newman

JS

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

1346 CONNECTICUT AVENUE • WASHINGTON, D. C. 20036

OFFICE
OF THE PRESIDENT

July 21, 1967

RECEIVED
JUL 24 1967
NAT'L EDUCATIONAL RADIO

The Honorable James Broyhill
U. S. House of Representatives
Washington, D. C. 20515

Dear Congressman Broyhill:

As you requested, I am sending to each member of the House Committee on Interstate and Foreign Commerce a copy of the NAEB memorandum prepared in connection with the Senate hearings on S. 1160. It relates to the definition of such terms as "network" and "interconnection," about which there seems to be some misconceptions. Clarifying these points is important because the role of the proposed Corporation for Public Broadcasting is central to the purpose of the legislation.

Let me again emphasize that this legislation is not designed to establish, nor would it permit, a Federal national broadcasting network. The Corporation will not have a staff of producers, commentators, or announcers; it will not have at its disposal a 24-hour leased-line interconnection system over which a regular schedule of its programs would be fed; it will not own or operate production equipment, studios, or interconnection facilities; it will not have station "affiliates" which are essential to any systematic networking operation; and it will not and cannot produce or distribute programs itself. Instead, it must arrange with others for the performance of such activities.

What the Corporation will do is provide support for helping to improve and expand the programming and distribution activities of existing (and future) educational stations and state, regional, and national networks - each of which has its own autonomous Board of Trustees and staff. (Attached is a list of 13 regional and national program services and networks.)

Under HR 6736, grants will fall into three main categories:

1. Grants will be made to local stations for operations and for programs which will be produced and broadcast locally.

2. Grants will be made to larger stations, production centers, or state and regional networks for production of programs of regional or national interest. Finished programs on film or tape could be distributed by mail, fed on leased lines at off-peak hours and re-recorded at the option of each local studio for subsequent broadcast at the convenience of the local station.

3. Occasional grants to stations or regional or national networks will be made for the origination of special events broadcasts picked up at a studio or remote location and fed over leased lines, contracted for the occasion, for simultaneous transmission and broadcast to stations who choose to carry them to a region or across the country.

Clearly, the lines within which the Corporation is allowed to act under HR 6736 afford no possibility of it turning into a Federal network; rather, it will have the role of a private foundation, evaluating proposals and dispensing funds to help others undertake diverse activities. The Corporation will be supportive, not operative.

We hope these comments may be helpful to the Committee in its consideration of this important legislation.

Sincerely yours,

William G. Harley

WGH:mab

Attachments (2)

cc: House Interstate and
Foreign Commerce
Committee members

REGIONAL AND NATIONAL PROGRAM SERVICES AND NETWORKS

National Educational Television
New York, New York

Midwest Program on Airborne TV Instruction
West Lafayette, Indiana

Rocky Mountain Public TV Network
Albuquerque, New Mexico

Midwest Educational Television
Minneapolis, Minnesota

Southeastern Communications Network
Atlanta, Georgia

Eastern Educational Radio Network
Amherst, Massachusetts

Western Educational Network
Corvallis, Oregon

ETS Program Service
Bloomington, Indiana

Eastern Educational Network
Cambridge, Massachusetts

National Center for School and College TV
Bloomington, Indiana

National Educational Radio
Washington, D. C.

Central Educational Netowrk
Milwaukee, Wisconsin

National Great Plains Instructional TV Library
Lincoln, Nebraska

ADDITIONAL STATEMENT BY WILLIAM G. HARLEY
NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

Following hearings on the Public Television Act in the Senate, the NAEB submitted an additional statement in order to clarify the matter on networking and station interconnection with respect to the proposed Corporation for Public Television. We would like to add these same points here.

Meetings to discuss these matters were held with representatives of the Carnegie Commission on Educational Television, the National Educational Television Network, and the National Association of Educational Broadcasters. Specially, NAEB agreed to associate itself with the following statement, which was included as part of a long letter sent to Senator John O. Pastore and thereafter included in the Record of the Hearings on S.1160 - The Public Television Act - before the Subcommittee on Communications of the Committee on Commerce of the United States:

"The ultimate responsibility for interconnection for national distribution must rest with the Corporation.

"In exercising this responsibility, the Corporation clearly has the option of choosing among several methods. It might appoint an advisory committee, including representatives of local educational broadcast stations, to suggest to it policies for the handling of interconnection or to review the interconnection decisions which it had made over a stated period. As another approach, the Corporation might exercise its interconnection responsibility by special contractural arrangements. It might wish to aid in the formation of a new organization or advisory group, including representatives of the local stations and the program suppliers, to handle day-to-day decisions on interconnection. Whatever special administrative arrangements are made by the Corporation in exercising its option, however, it must retain ultimate responsibility.

"The following NAEB comments are offered in light of the foregoing statement:

"1. An important distinction exists between an interconnected national program "distribution" system and a "network" system. "Distribution" involves an interconnection system which delivers programs unrelated to scheduling and unidentified as emanating from a common source. A "network" on the other hand, is an identifiable entity responsible for initiating and supplying a known body of programs either by regular shipment on tape or film, or by

simultaneous interconnection. Regardless of which method is used, individual stations always retain the right to accept or reject any programs. Section 396(a) (3) of S. 1160 prohibits the Corporation from owning or operating a "network."

"2. While associating ourselves fully with Dr. Killian's desire for insuring the greatest possible diversity of programming for the local stations, we believe it is essential to the full development of a viable noncommercial educational nationwide service that educational stations, both television and radio, have access to a "network" service as defined above. Two such networks - NET and NER (National Educational Radio) - exist today, which attempt to meet these network demands of educational stations, though limited financing prevents a truly interconnected service. These networks were specifically created to meet the needs of local stations for a regular dependable supply of quality programming.

"Section 396 (a) of S. 1160 declares that the general welfare would be encouraged by educational broadcast service not only "in particular localities" but "throughout the United States," and encourages a "national policy" which would make such service "available to all the citizens of the United States." The corporate purposes outlined in Section 396 (g) include assistance for "one or more systems of noncommercial educational television or radio broadcast stations throughout the United States." At least three separate sections of the bill (Sections 396 (a) (2), (4), and (g) (1) (A) emphasize the desirability of diverse programming sources. There is thus ample provision in S. 1160 for the Corporation to foster such a system of networks, be they the two mentioned above or others.

"3. Interconnection, whether for "distribution" or for "network" purposes, raises potentially delicate program decision-making problems. At some juncture, a decision must be made regarding the choice of product to be placed in the system, if only because of capacity limits. In many instances, program content will be a significant decisional factor. For these reasons, the NAEB strongly favors the second and third options in the above-quoted statement of Dr. Killian. More specifically, the NAEB believes that the Corporation would best serve its own interests as well as those of educational broadcasting by exercising "its interconnection responsibility by special contractual arrangement." The complexity of operational needs, the urgency for a regular program service of high quality, and the desirability of scheduled interconnection from the viewpoint of the local station, all require day-to-day decisions that may best be made by other experienced organizations under specific contracts or grants from the Corporation. Likewise, the NAEB believes that a

mutual authority, including representatives of the stations and program suppliers, and operating on a daily basis with these daily problems independent of the Corporation, except for its continuing support and surveillance, affords the best opportunity for satisfying these needs in a practical and free manner.

"4. The Corporation is the supplier of funds. As such, it carries the ultimate responsibility for all of its activities, including the essential interconnection service as Dr. Killian indicates. That responsibility should be exercised in its review of the conduct of those entrusted with providing the service, and in its decisions to continue to support one such entity over another. But that review should not properly encompass day-to-day program decision-making functions by the Corporation of the interconnection entity.

"5. We share Dr. Killian's fear of the establishment of such a strong educational network that programs would be determined by remote fiat with an attendant loss of diversity and local autonomy. However, the NAEB submits that the fears generated by historical reference to commercial networks are greatly allayed by the absence in noncommercial operations of the commercial motivations surrounding such network systems.

"6. The NAEB thoroughly supports Dr. Killian's view that the Corporation should be precluded from program production, and from the prerogative of program scheduling."

7/18/67

CHESTER L. MIZE
2D DISTRICT, KANSAS

COUNTIES:
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Congress of the United States
House of Representatives
Washington, D.C. 20515

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BANKING AND CURRENCY COMMITTEE
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RECEIVED
JUL -7 1967
OFFICE OF EXTENSION
RADIO & TV

July 3, 1967

Mr. Jack Burke
Radio Station KSAC
Kansas State University
Manhattan, Kansas

Dear Jack:

You probably know about the hearings which the House Interstate and Foreign Commerce Committee has scheduled on H.R. 6376. In the event, however, that this hasn't been brought to your attention I am sending you a page from the June 27 Record.

You may wish to file a statement with the Committee during these hearings. If you don't appear in person, I'll be glad to send your statement to the Chairman and ask that it be printed in the hearing testimony.

Call on me if I can be of assistance in this manner.

Sincerely,

Chester L. Mize
Member of Congress

CLM:db
Encl.

OPENING HEARINGS ON H. R. 6736
THE PUBLIC TELEVISION ACT OF 1967
July 11, 1967

The urgency of supplying specific and accurate financial cost projections for the proposed Corporation for Public Television was repeatedly stated today by members of the House Interstate and Foreign Commerce Committee who heard testimony from John W. Gardner, Secretary of Health Education and Welfare on behalf of the Public Television Act of 1967. Secretary Gardner was the only witness to appear before the Committee on the initial day of hearings which are scheduled to run through July 21. He was accompanied by Dean W. Coston, HEW Deputy Under Secretary and Paul A. Miller, Assistant Secretary for Education and Ralph K. Huitt, Assistant Secretary for Legislation.

Committee Chairman Harley O. Staggers (D-W. Va.) made it clear that the proposed legislation would not exceed a three year authorization. The ETV Facilities Act, which expired at the end of June, covered a 5-year span. The three-year appropriation will give the next Congress an opportunity to review the progress of educational radio and television and act as it sees fit, Rep. Staggers stated.

Secretary Gardner praised the Committee for its recommendations to pass the Educational Television Facilities Act of 1962. "Hindsight, which always possesses 20-20 vision, reveals the wisdom of Congress' actions in passing that legislation", Mr. Gardner said.

"Today, the circumstances for approval of this bill are no less timely. Without your approval of this proposal, the facilities made possible by previous action will be incomplete monuments to a great hope."

Rep. Torbert Macdonald (D.-Mass.), chairman of the Subcommittee on Communications and Power, and Rep. William Springer (R.-Ill.) chided Sec. Gardner for his lack of information on the total projected cost for the operation of the Corporation for Public Television. Rep. Macdonald advised the witness that "you should have the answers to the costs of this program. I don't know why you don't have those figures right now." "This is a good program," Rep. Macdonald said, "but how is it going to work?" Secretary Gardner will provide in writing the full House Committee with these cost projections soon.

Rep. Springer emphasized that the committee, in good conscience, could not propose legislation on a matter where such significant facts were missing. He questionedthe witness on the growth potential of educational television and noted that of the 633 channels allocated to educational television only 130 were in operation now. He insisted on knowing how much this eventual development might cost and said "the cost could be very large."

At the start of the hearing Rep. Staggers questioned Secretary Gardner on the language of the bill. The Senate version (S. 1160) amended the original bill from the Public Television Act of 1967 to the Public Broadcasting Act of 1967. Secretary Gardner said he felt a similar change in the House bill now under consideration -- H. R. 6736, the Public Television Act of 1967 -- would be appropriate and that the language throughout the bill should be amended accordingly.

Certain committee members made reference to the fear that the Corporation would not be sufficiently insulated from government control and interference. Secretary Gardner stressed that the public interest could only be served by "an organization completely free from the government and from HEW. It must function independently." He said his Department has no preference whether the Corporation contracts directly or indirectly for interconnection services. The Corporation will be prevented from becoming a propaganda agency, Secretary Gardner said, by the character of the members appointed to its board and by the fact that the local station has the final word on programs it wishes or does not wish to carry.

To preserve a balance of control in the Corporation for Public Broadcasting, Rep. Springer, minority leader, suggested the possibility of politically aligning the members of the Board - similar to the FCC, FAA and other Federal agencies.

In his opening statement, Mr. Staggers stressed that hearings will conclude Friday, July 21, "even if we have to go through afternoon and evening sessions" to complete them by that date.

More than two-thirds of the full Committee was present sometime during the nearly three-hours on the opening day.

Semantics played a part in the Committee and witness give-and-take. Should educational broadcasting be called "Public"? Isn't all broadcasting "public" since it is licensed by a Federal agency? What the commercial broadcasters, the Carnegie Commission representatives, Ford Foundation Spokesmen -- and educational -- or "public" broadcasters have to say will be heard in the next two weeks.

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

1346 CONNECTICUT AVENUE · WASHINGTON, D. C. 20036

July 26, 1967

The Honorable Harley O. Staggers
Chairman, Interstate and Foreign
Commerce Committee
U. S. House of Representatives
Washington, D. C.

Dear Congressman Staggers:

We should like to respond for the record to several points which have arisen in connection with testimony on HR 6736.

1. $250,000 LIMIT PER STATION - TITLE II, SECT. 396 (k)

Since the language of the bill appears to include the cost of interconnection, this would mean that a program grant to a station or to a regional or national network might well be eaten up in interconnection cost, whereas the funds ought to go primarily for program production.

We suggest adding the words "excepting costs of interconnection." The line would then read: "Notwithstanding the preceding provisions of this section, no grant or contract pursuant to this section excepting costs of interconnection may provide for payment from the appropriation for the period year ending June 30, 1968, for any one project or to any one station of more than $250,000.

2. THE 12½% LIMIT ON FACILITIES GRANTS TO STATES - TITLE I, SECT. 102

Does this limitation mean smaller stations will not receive funds or that some states may be left out?

No. Experience with the 1962 ETV Facilities legislation has shown that grants have gone to all sizes of stations and in virtually every state. We are confident that HEW would continue to discharge its responsibility with due concern for the interests of all the states, taking into account grants already made to states and reserving funds for those states which are not yet ready to construct. Since the plans of several states could not go further

under the former limitation of $1 million per state, substituting the 12½% limitation still provides control but affords sufficient administrative flexibility to accomodate to the varying rates of state plan development.

3. RE PROPOSED AMENDMENT: 12½% LIMIT ON PROJECTS PER STATE PER YEAR TITLE II, SECT. 396 (k)

We and the bill agree in principle with this proposed amendment in its attempt to insure that program support will be widespread throughout the nation. But, to put a specific percentage in the bill itself would be to deny to the Corporation much-needed administrative discretion in grant making, as well as to work a specific hardship on certain states. In New York state, for example, besides NET, there are seven ETV stations and 27 educational radio stations on the air, with more building. In California there are 8 ETV stations and 32 educational radio stations, plus the Western Educational Network, with more coming. In both states also there are frequent national productions for the educational radio and TV regional and national networks. To put an arbitrary limit on programming and operations funds for these states would be unfair to their stations, and do substantial damage to network program production from them as well. A number of other states would have similar situations. Illinois, with 5 TV and 20 radio stations plus the headquarters for National Educational Radio Network, and the Central Educational TV Network would be severely restricted. Georgia would be handicapped also - with 9 ETV stations and a radio station, plus the Southern Educational Communications Network.

In addition, it would be virtually impossible to relate to this limit interstate interconnection charges paid to interstate common carriers. It would not be fair to include such charges in one state allocation in which the programming happened to originate. On the other hand, per-state allocations in any program network costs would be almost impossible to determine.

It would appear to us that it would suffice if strong, explicit language were included in the bill's Report regarding the importance of diversity in programming and the need to give encouragement to public broadcasting in all the states. This would leave no question as to the intent of Congress, but would not specifically bind the Corporation in such a way as to hamper its efficient and effective administration.

4. ALTERNATIVES TO THE PUBLIC BROADCASTING CORPORATION

Alternatives to the Corporation for Public Broadcasting have been suggested as a means to disburse federal funds to educational stations.

One such means might be to give some percentage of available funds to each state for subsequent intra-state disbursal to educational radio and TV stations. We oppose this proposal. If we are opposed to untoward government intervention with educational broadcasting, substituting 50 state governments for one national government hardly insures less interference. We further recognize that not all states; needs are the same. A flat percentage would not take these differences into account. And if a federal agency were created to take needs into account, we would have federal determination of highly sensitive program grants, which no one wants.

Another suggested alternative is to give funds directly to educational stations and let them establish their own needed agencies. We oppose this, too. We have no doubt in the ability of the educational radio and TV stations to establish in time any new agencies which might be needed. The problem lies in how to distribute funds effectively and equitably to the stations in the first place. One must assume that there will never be sufficient funds to meet all the proposals which can be made for use of available funds. Thus a system of distributing money must be made which is (1) fair to all, (2) meets the most pressing needs, and (3) is not subject to interference by government. We cannot conceive of such a formula. Furthermore, it is presumed that any formula or system must be administered by an agency of the federal government, such as HEW, which is precisely what we all wish to avoid.

Furthermore, a government agency would not likely be successful in seeking private contributions, an essential part of the plan as expressed in the present bill. Thus, the need for an impartial agency leads inevitably to the proposed private Corporation, capable of independent judgments, and insulated from government.

5. QUESTIONS RAISED BY THE COMPTROLLER GENERAL

In the Senate Report on S. 1160, two points were raised by the Comptroller General, Elmer B. Staats, on which we would like to comment. First, Mr. Staats noted that a number of grants have been made to ETV under various federal Acts, and he was concerned that they be taken into account in preparing this legislation. We agree that such grants should be noted, but we observe that the grants mentioned are not in the same area or for the same purposes as the grants proposed in the Public Television Act. All such grants have been for special demonstration or research projects, all have been in instructional television, not in public television, and none has been in educational radio. Thus, there has not been nor would there be any overlap or duplication with the Public Television Act. Furthermore, the study called for under Title III would include study of coordinating these other grant areas, an activity we support, as does Mr. Staats.

Mr. Staats raised another point, which also arose during the hearings: what would be the auditing procedure followed by the proposed Corporation? We support the view expressed by other witnesses: that there certainly should be an annual audit of the Corporation's activities, that this should be included in its annual report to the Congress and to the President, but that the audit should be performed by a private firm rather than the General Accounting Office, because the proposed Corporation would itself be a private organization.

6. THE SENATE AMENDMENT SPECIFYING "that 3 of the 15 members of the Board shall be associated with the operation of non-commercial educational radio and TV stations." TITLE II, SECT. 396 (c)

We oppose this amendment, because of possible conflict of interest. The Corporation's Board will be considering many matters related to the operations and financial needs of educational stations. To have three of its members directly related to those stations might put these three in the position of either voting on their own funds, or absenting themselves from such decisions. Regardless of the integrity of the individuals, questions are likely to arise if grants were made by the Corporation to the stations with

which these directors were associated. Conversely, such stations should not be ruled out of consideration simply because of the composition of the Corporation's Board of Directors.

We testified in the Senate expressing the opinion of the stations that no manager or Board member should serve simultaneously on the Corporation's Board of Directors. We recognize that some of the most interested and enlightened public citizens in the area of educational broadcasting are already on boards of various educational stations, production agencies, networks, or the boards of related educational institutions. We believe, however, that such board members should have to make a choice between serving on the Corporation Board or their educational station Board.

We realize that other issues may well arise in the Committee's consideration of this legislation. This is to assure you that the NAEB stands ready to provide data, reflect stations' reactions, or help in any other appropriate way in the formulation of the Committee's report.

Sincerely yours,

William G. Harley

William G. Harley

WGH:mab

cc: House Interstate and
Foreign Commerce
Committee members

FRED B. ROONEY
MEMBER OF CONGRESS
15TH DISTRICT, PENNSYLVANIA

COMMITTEE:
INTERSTATE AND
FOREIGN COMMERCE

SUBCOMMITTEE:
COMMUNICATIONS AND POWER

Congress of the United States
House of Representatives
Washington, D.C.

July 12, 1967

Mr. Donald F. Holloway
Associate Professor of Speech
Station Manager, WMKY-FM
Morehead State University
Morehead, Kentucky 40351

Dear Professor Holloway:

Thank you for your recent letter regarding the Public Broadcasting Act of 1967.

As you know, this proposed legislation is currently pending before the House Committee on Interstate and Foreign Commerce of which I am a member. You may be assured that I will do all I can to seek early action in committee, as well as a favorable vote on the floor of the House.

With kind personal regards, I am

Sincerely yours,

Fred B. Rooney

Fred B. Rooney, M.C.

FBR:ppl

DAN KUYKENDALL
9TH DISTRICT, TENNESSEE

1519 LONGWORTH HOUSE OFFICE BUILDING
TELEPHONE: 202-225-3265

DISTRICT OFFICE:
369 FEDERAL BUILDING
MEMPHIS, TENNESSEE 38103
TELEPHONE: 534-3319

COMMITTEE:
INTERSTATE AND FOREIGN
COMMERCE

Congress of the United States

House of Representatives

Washington, D.C. 20515

July 11, 1967

Mr. Donald F. Holloway
Associate Professor of Speech
Morehead State University
Morehead, Kentucky 40351

Dear Mr. Holloway:

It was a pleasure to receive your recent letter in support of H.R. 6736 and the related bills which would extend and improve the system of grants for construction of educational radio and television broadcasting facilities. As you may know the Committee is holding hearings on this measure at the present time. You may feel assured that your endorsement of this legislation has been duely noted.

With kindest regards, I am

Sincerely,

Dan Kuykendall
Member of Congress

DK;md

LIONEL VAN DEERLIN
37TH DISTRICT, CALIFORNIA

COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE

SUBCOMMITTEES:
COMMUNICATIONS AND POWER
SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS

Congress of the United States
House of Representatives
Washington, D.C.

341 CANNON HOUSE OFFICE BLDG.
WASHINGTON, D.C. 20515

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MAIN POST OFFICE BLDG.
SAN DIEGO, CALIFORNIA 92101

July 10, 1967

Dr. Donald F. Holloway
Associate Professor of Speech
School of Humanities
Morehead State University
Morehead, Kentucky 40351

Dear Dr. Holloway:

As a former broadcaster and member of the Interstate and Foreign Commerce Committee, I share your enthusiasm for and interest in S 1160, the Public Broadcasting Act of 1967.

As you know, the full Committee plans extensive hearings, beginning July 11, on this vital legislation. Since S 1160 was approved overwhelmingly by the Senate, I do not anticipate any great difficulty in the House.

I am fully aware of the importance of this proposal to educational broadcasting. It may interest you to know that San Diego State College, in my own district, has just inaugurated a television station of its own, KEBS-TV. I worked closely with the founders of this station in obtaining for it the encouragement and financial support of the Federal government.

Sincerely,

Lionel Van Deerlin
Member of Congress

LVD:c

SAMUEL N. FRIEDEL
7TH DISTRICT, MARYLAND

2233 RAYBURN BUILDING
TELEPHONE:
225-4741

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
HOUSE ADMINISTRATION
INTERSTATE AND FOREIGN COMMERCE

323 POST OFFICE BUILDING
BALTIMORE, MARYLAND 21202
TELEPHONE:
MULBERRY 5-8320, EXTENSION 3451

July 11, 1967

Mr. Donald F. Holloway
Associate Professor of Speech
Station Manager, WMKY-FM
Morehead State University
Morehead, Kentucky 40351

Dear Mr. Holloway:

This will acknowledge your letter urging my support for S. 1160, the Public Television Act of 1967 recently passed by the Senate and referred to my Committee on Interstate and Foreign Commerce.

As the ranking member of this Committee, I am vitally interested in television broadcasting facilities and have introduced a companion bill, H.R. 7746. My Committee began hearings on S. 1160 and other similar measures today. I believe that television has tremendous potential as an instrument of education and we should encourage its full development.

I plan to testify in support of my bill before the Committee and you may be sure that I will work to persuade all the Members of my Committee to report this legislation favorably.

Warmest regards.

Sincerely,

Sam Friedel

SAMUEL N. FRIEDEL, M.C.

SNF:amh

TIM LEE CARTER
5TH DISTRICT, KENTUCKY

HOME ADDRESS:
TOMPKINSVILLE, KENTUCKY

OFFICE ADDRESS:
1231 LONGWORTH OFFICE BUILDING
WASHINGTON, D.C.

Congress of the United States
House of Representatives
Washington, D.C. 20515

MEMBER:
COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE

SECRETARIES:
ROY C. WOOLUM
CORBIN, KENTUCKY
KATHLEEN GARNER
RUSSELL SPRINGS, KENTUCKY

July 10, 1967

Mr. Donald F. Holloway
Associate Professor of Speech
Morehead State University
Morehead, Kentucky 40351

Dear Professor Holloway:

Thank you for your recent letter expressing your interest in the Public Broadcasting Act of 1967.

I was pleased to hear from you, and you may rest assured that I will keep your views in mind and give most careful consideration to this legislation when we take it up for discussion in our Committee and on the floor of the House.

Certainly, I support educational TV and want to see legislation enacted which will provide better education for our youth through all media.

My regards and best wishes to Dr. Doran and to you.

Sincerely,

T. L. Carter

Tim Lee Carter

RAY BLANTON
7TH DISTRICT, TENNESSEE

1005 LONGWORTH BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: 225-7084

Congress of the United States
House of Representatives
Washington, D.C.

COMMITTEE ON
INTERSTATE AND FOREIGN
COMMERCE

SUBCOMMITTEE:
COMMERCE AND FINANCE

DISTRICT OFFICE:
JACKSON, TENNESSEE

August 11,1967

Mr. Bill Greenwood
National Educational Television
House Radio-TV Coorespondent's Gallery
Capitol H-320

Dear Bill:

I understand that you folks were to pay the bill for the television interview with Congressman Blanton which was to be shown on WKNO-TV in Memphis.

Enclosed is the invoice we received from the House Recording Studio---and if other arrangements were to have been made, please inform me.

We enjoyed making the film, and if the Congressman can be of further service to you folks, let us know.

Sincerely,

John Gamble
Press Secretary

DONALD G. BROTZMAN
2ND DISTRICT, COLORADO

COMMITTEES:
INTERSTATE AND FOREIGN COMMERCE
SUBCOMMITTEE ON COMMUNICATIONS AND POWER
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS

Congress of the United States
House of Representatives
Washington, D.C.

WASHINGTON OFFICE:
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TELEPHONE: 202-225-2161

DISTRICT OFFICE:
BUILDING 40, ROOM 202
DENVER FEDERAL CENTER
DENVER, COLORADO
TELEPHONE: 303-233-3611

August 11, 1967

National Association of
Educational Broadcasters
1346 Connecticut Avenue, N. W.
Washington, D. C.

Gentlemen:

Enclosed please find a copy of House Recording Studio Invoice No. 9905 in the amount of $58.00.

This invoice represents charges for the shooting of a colored film by Congressman Donald G. Brotzman for KRMA-TV in Denver. The interview was requested by Mr. Bill Greenwood, who indicated that your Association would reimburse the Congressman for these charges.

You may make your check payable to Congressman Donald G. Brotzman, who in turn, will endorse it over to the Recording Studio.

Thank you for your attention. It was a pleasure working with you.

Very truly yours,

Robert L. Tonsing

Robert L. Tonsing
Administrative Assistant

RLT:ps
Enclosure

From the Desk of:

HARRY M. BRAWLEY

Dear Jerry:

I was asked to contact Representatives John Slack and Ken Hechler concerning HR 6736. Here are copies of their replies.

Regards.

Harry

JOHN M. SLACK, JR.
2nd District, West Virginia

Room 2208
Rayburn House Office Bldg.
Phone: CA 4-3121, Ext. 2211

COMMITTEE
APPROPRIATIONS

SUBCOMMITTEES
Department of State, Justice, Commerce, the Judiciary and Related Agencies
Department of Defense

Congress of the United States
House of Representatives
Washington, D.C.

September 7, 1967

Mr. Harry M. Brawley
Executive Secretary
West Virginia Educational
Broadcasting Authority
1033 Quarrier Street, Rm. 701
Charleston, West Virginia 25301

Dear Harry:

I read with interest your letter of September 5 regarding H.R. 6736, the proposed Public Broadcasting Act of 1967. This bill has been reported by the Interstate and Foreign Commerce Committee and it is now on the Union Calendar.

I believe there is a good chance that the bill will be brought before the House during the next thirty days and you may be assured that I will be happy to urge that the House have an opportunity to pass this measure before the adjournment of this session in view of the circumstances you have described. It would appear to be a very worthwhile proposal.

Yours sincerely,

John M. Slack, Jr., M.C.

JMS:b

KEN HECHLER
4TH DISTRICT, WEST VIRGINIA

WASHINGTON OFFICE
248 CANNON OFFICE BUILDING
TEL. AREA CODE 202 225-3452

ROBERT R. NELSON, ADM. ASST.
STAFF ASSISTANTS
NANCY B. KEBBINGER
DICK LEONARD
DIANN MCCORMICK
ELIZABETH A. PREAST
MISS VIRGINIA F. SKEEN

—PLUS ANY VOLUNTEER
HELP WE CAN GET

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SCIENCE AND ASTRONAUTICS

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204 FOURTH STREET
TEL. 428-8789
MR. GEORGE E. LANTZ
IN CHARGE

Congress of the United States
House of Representatives
Washington, D.C. 20515

September 8, 1967

Mr. Harry M. Brawley
Executive Secretary
West Virginia Educational Broadcasting Authority
1033 Quarrier Street
Room 701
Charleston, West Virginia

Dear Harry:

Thank you for writing to urge my support of the Public Television Act of 1967.

The Senate Bill, S 1160, passed the Senate on May 17, as I'm sure you are aware. The House bill, HR 6736, has been reported out of the Interstate and Foreign Commerce Committee and is pending in the Rules Committee.

While we have had no indication if and when this legislation will be reported out of the Rules Committee, I certainly appreciate your comments and will give close attention to this bill when it does come to the floor for debate.

Yours sincerely,

Ken Hechler.

September 7, 1967

Honorable Bob Wilson
House of Representatives
Rayburn Office Building
Washington, D. C. 20515

Dear Mr. Wilson:

I understand that Ernie O'Byrne has corresponded with you recently about the College's interest in the Public Broadcasting Act.

Should you wish to discuss the subject further, I can be available at your convenience Thursday or Friday.

I am staying at the Sheraton Park, but I have arranged to have calls taken at the office of Mr. Sandler at the National Association of Educational Broadcasters, 667-6000.

As you know, we believe the Bill will greatly aid our work in San Diego and the proper growth of Educational Broadcasting nationally. We hope you will support it.

Sincerely,

John P. Witherspoon
General Manager, KEBS-TV-FM
San Diego State College

JPW:lkl

DONALD G. BROTZMAN
2ND DISTRICT, COLORADO

COMMITTEES:
INTERSTATE AND FOREIGN COMMERCE
SUBCOMMITTEE ON COMMUNICATIONS AND POWER
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS

CM
USTS
WH

Congress of the United States
House of Representatives
Washington, D.C.

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BUILDING 40, ROOM 202
DENVER FEDERAL CENTER
DENVER, COLORADO
TELEPHONE: 303-233-3611

October 3, 1967

Mr. Harold E. Hill, Supervisor
Division of Radio-TV-Graphics
Extension Division
University of Colorado
Stadium Building
Boulder, Colorado 80302

Dear Harold:

Many thanks for your letter commenting on my support of the Public Broadcasting Act. I think we have a great opportunity with this new act to achieve some real success in the field of educational broadcasting and I certainly will continue to make every effort to achieve this end.

I appreciate very much your invitation to attend some of the sessions at the National Association of Educational Broadcasters annual convention in Colorado early in November. It is difficult to know, just at this time, what my schedule will be. If I happen to be in Colorado at that time, I certainly will make every effort to attend some of the meetings.

Very truly yours,

Donald G. Brotzman
Member of Congress

DGB:fpw

Public Radio, Television Bill Approved by House, 265-91

By Lawrence Laurent
Washington Post Staff Writer

The House passed the Public Broadcasting Act last night by a 265 to 91 vote, taking a long step that might significantly change the American system of broadcasting.

The final roll call vote came after a Republican move to eliminate the corporation was defeated, 194 to 167.

The act opens the way for Federal support of non-commercial educational radio and television programs.

A similar bill zipped through the Senate in May with only one dissenting vote.

Both chambers agreed on three main provisions. They are extension of the 1962 Educational TV Facilities Act with appropriations to help build and improve educational stations; creation of a nonprofit public broadcasting corporation, with $9 million in Federal funds as its initial financing, which would help support private production of cultural and educational programs and their distribution to nonprofit stations; and appropriation of $500,000 for a study of instructional TV.

Uncertainty?

Opponents argued that its future financing had been left uncertain and that it could conceivably become a mechanism for political propaganda for the party in power, even though it would not be a government agency but a separate entity governed by a 15-man board of directors.

The longest wrangles of the day came over three separate attempts to shift the funding of the public broadcasting corporation's future activities to a tax on commercial broadcasting stations. Each time, Democratic floor leader Harley Staggers (W.Va.) persuaded a majority that the entire question of long-range financing must await study and another round of Congressional hearings.

Financing Question

In his message to Congress earlier this year requesting creation of the public broadcasting corporation, President Johnson carefully avoided any suggestion of long-range financing. But the Carnegie Commission on Educational TV had proposed that the best method would be an excise tax on the sale of TV receivers. That tax would start at 2 per cent and be raised to a ceiling of 5 per cent. The House bill did not authorize an excise tax or any other finances beyond the initial $9 million.

The House version of the bill makes available a total of $38 million over the next three years for construction under the 1962 Educational Facilities Act. Immediately in view is $10.5 million for fiscal 1968. The House would also provide $12.5 million in 1969 and $15 million in 1970. Proponents of this measure stressed repeatedly that the money is for equipment, construction or improvement of station facilities—not for programs.

No Endorsements

The House Bill—unlike the Senate prohibits a station from taking an editorial stand or endorsing a political candidate.

In the House bill, the fifteen members of the Public Broadcasting Corp. are to be appointed by the President, with the consent of the Senate, and not more than eight can be members of one political party—a provision not in the Senate version. The House also would require auditing of the corporation by the General Accounting Office.

Next step is the House-Senate conference where differences in the two versions must be ironed out.

Scanned from the National Association of Educational Broadcasters Records
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